

SENATE

Tuesday, November 07, 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, Sen. The Hon. Richie Sookhai, Sen. The Hon. Hassel Bacchus, Sen. The Hon. Renuka Sagramsingh-Sooklal and Sen. Wade Mark, all 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: MS. YOKYMMA BETHELMY

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 the exercise of the power vested in me by section 44(1)(a) and section

UNREVISED

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, . YOKYMMA BETHELMY to be a member of the Senate temporarily, with effect from the 07th November, 2023 and continuing during the absence from Trinidad and Tobago of 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 07th day of November, 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. NDALE YOUNG

WHEREAS Senator the Honourable Richie Sookhai is incapable of performing his duties as a Senator by reason of his 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 YOUNG to be a member of the Senate temporarily, with effect from 07th

November, 2023 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable. Richie Sookhai.

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 07th day of November, 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. MICHAEL SEALES

WHEREAS Senator the Honorable Hassel Bacchus is incapable of performing his duties as a Senator by reason of his 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, MICHAEL SEALES to be a member of the Senate temporarily, with effect from 07th November, 2023 and continuing during the absence from Trinidad and Tobago of Senator the Honourable. Hassel Bacchus.

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 07th day of November, 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. HARVEY BORRIS

WHEREAS Senator the Honourable Renuka Sagramsingh-Sooklal 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, HARVEY BORRIS to be a member of the Senate temporarily, with effect from 07th November, 2023 and continuing during the absence from Trinidad and Tobago of Senator the Honourable. Renuka Sagramsingh-Sooklal.

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 07th day of November, 2023.”

UNREVISED

“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: DR. TIM GOPEESINGH

WHEREAS Senator Wade Mark is incapable of performing his duties as a Senator by reason of his 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)(b) of the Constitution of the Republic of Trinidad and Tobago, acting in accordance with the advice of the Leader of the Opposition, do hereby appoint you, DR. TIM GOPEESINGH to be a member of the Senate temporarily, with effect from 07th November, 2023 and continuing during the absence from Trinidad and Tobago of Senator Wade Mark.

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 07th day of November, 2023.”

OATH OF ALLEGIANCE

The following Senators took and subscribed to the Oath of Allegiance as required by law:

Yokymma Bethelmy, Michael Seales, Harvey Borris, Dr. Tim Gopeesingh.

UNREVISED

AFFIRMATION OF ALLEGIANCE

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

JOINT SELECT COMMITTEES (CHANGE OF MEMBERSHIP)

Mr. President: I have received the following correspondence from the Speaker of the House of Representatives:

“Establishment and appointment of Members to Joint Select Committee-Representation of the People (Amendment) (No. 2) Bill, 2020.

At a sitting held on Wednesday November 01, 2023, the House of Representatives agreed to the following resolutions:

‘Resolved:

That the Representation of the People (Amendment) (No. 2) Bill, 2020, be referred to a Joint Select Committee hereby established;

That this Committee be mandated to adopt the work of the Joint Select Committee in the Third Session and report by March 29, 2024; and.

That, subject to the concurrence of the Senate on the establishment of the Joint Select Committee on the Representation of the People (Amendment) (No. 2) Bill, 2020, this House appointment the following six (6) Members to sit with an equal number from the Senate on this Committee:

Representation of the People Amendment No. 2 Bill 2020

Mrs. Camille Robinson-Regis, MP

Mr. Colm Imbert, MP

Mr. Fitzgerald Hinds, MP

Mrs. Shamfa Cudjoe-Lewis, MP

Mr. Saddam Hosein, MP

Mr. Davendranath Tancoo, MP

Accordingly, I respectfully request that the Senate be informed of this decision at the earliest convenience please.

Thank you.

Yours Respectfully.

/s/ Bridgid Mary Anisette-George.

Speaker of the House.”

VISITORS

(Legislative Assembly of Montserrat)

Mr. President: Hon. Senators, I wish to advise that a delegation from the Legislative Assembly of Montserrat comprising the Hon. Charliena White, Speaker of the House and leader of the delegation: Dr. Judith Baker; Clerk of the Legislative Assembly, and Ms. Francelise White, Commissions Analyst, are present in the Chamber for today's proceedings. I ask you to join me in welcoming the delegation to the Senate of the Republic of Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

PAPERS LAID

1. Annual Administrative Report of the Statutory Authorities Service Commission for the financial year ended September 30, 2021. [*The Minister of Public Administration (Sen. The Hon. Allyson West)*]
2. Ministerial Response of the Ministry of National Security to the Fourteenth Report of the Public Administration and Appropriations Committee on an examination of the implementation of the recommendations contained in the Twenty-Fourth Report of the Public Administration and Appropriations

3. Committee from the Eleventh Parliament on the Processing of the Payment of Pensions and Gratuities of Retired Public Officers and Contracted
4. Employees. [*The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne)*] Ministerial Response of the Ministry of Finance to the Fourteenth Report of the Public Administration and Appropriations Committee on an examination of the implementation of the recommendations contained in the Twenty-Fourth Report of the Public Administration and Appropriations Committee from the Eleventh Parliament on the Processing of the Payment of Pensions and Gratuities of Retired Public Officers and Contracted Employees. [*Hon. Dr. A. Browne*]
5. Response of the Auditor General of the Republic of Trinidad and Tobago to the Fourteenth Report of the Public Administration and Appropriations Committee on an examination of the implementation of the recommendations contained in the Twenty-Fourth Report of the Public Administration and Appropriations Committee from the Eleventh Parliament on the Processing of the Payment of Pensions and Gratuities of Retired Public Officers and Contracted Employees. [*Hon. Dr. A. Browne*]
6. Ministerial Response of the Ministry of Housing and Urban Development to the Thirteenth Report of the Public Administration and Appropriations Committee on an examination of the Management and Operations of the Housing Development Corporation (HDC) including the restructuring of the HDC into three distinct State Enterprises. [*The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne)*]

PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE

(Presentation)

UNREVISED

Sen. Laurel Lezama-Lee Sing: Mr. President, I have the honour to present the following reports:

The Sports Company of Trinidad and Tobago Limited

Eleventh Report of the Public Accounts (Enterprises) Committee, Third Session (2022/2023), Twelfth Parliament, on the Examination of the Audited Financial Statements of The Sports Company of Trinidad and Tobago Limited (SportTT) for the Financial Years 2019 and 2020 and follow-up on the Implementation of the recommendations in the Committee's Second Report from the 11th Parliament.

Committee's Omnibus Report

Joint Select Committee on State Enterprises Report on NIDCO

Twelfth Report of the Public Accounts (Enterprises) Committee, Third Session (2022/2023), Twelfth Parliament, on the Follow up inquiry into the Committee's Omnibus Report in the First Session, 11th Parliament and the Joint Select Committee on State Enterprises Report from the Second Session, 12th Parliament, including an examination of the National Infrastructure Development Company Limited (NIDCO) Audited Financial Statements for the years ended 2015 to 2017.

URGENT QUESTION

Sen. Jearlean John: To the Minister of Public Utilities: Given recent reports that the Prime Minister's private information has leaked due to the cyber-attack on TSTT, can the Minister state if any other Cabinet Minister, Member of Parliament, or Senator has been affected?

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Mr. President. Mr. President, the Government of Trinidad and Tobago has mandated the Board of TSTT to conduct a thorough and independent investigation

into the cyber-attack of October 09, 2023. I am advised that the Board has already taken steps towards facilitating the commencement of this probe.

Additionally, TSTT is still in the process of evaluating all aspects of the attack, including the validation of all reported information in the public domain, that is, the personal data of all our citizens, inclusive of members of Cabinet and parliamentarians. I am advised that this is being done on a customer-by-customer basis.

At this point in time, Mr. President, I do not have any report before me that confirms that the personal information of Members of Parliament has been affected by this data breach. However, as the results of the investigation become available, I will be in a position to provide further clarity on this ongoing situation to the national community.

Mr. President, this situation remains of significant concern to the Government of Trinidad and Tobago and all resources are being made available to address this problem.

Mr. President: Sen. John.

Sen. John: Mr. President, it appears as if the Minister is the last man to know in all of these undertakings at TSTT, because this morning—

Mr. President: Sen. John, do you have a question?

Sen. John: Yes, I do have a question because—I am saying I do not understand what the Minister is saying.

Mr. President, what are the plans of the TSTT to inform customers individually that their data has been compromised, because these could lead to—

Mr. President: You have asked the question.

Sen. John: That is the question, Mr. President. Thank you.

Mr. President: Minister.

Hon. M. Gonzales: Mr. President, that is the reason why we have asked for an independent investigation into this matter. The question is premised on information pertaining to the hon. Prime Minister being leaked in the public domain. I have information, Mr. President, that the report in yesterday's *Guardian* that refers to one Keith Rowley is not that of the hon. Prime Minister, and that is the reason why this matter warrants an independent and thorough investigation, so that we can truthfully report to the public on this very critical issue.

Mr. President: Sen. Roberts.

Sen. Roberts: Hon. Minister, you have stated independent, but how can you ask the Board, which may be part of this investigation, as you have alerted the population, that the Board misled the hon. Minister and the Cabinet—how can a board, who is part of the investigation, conduct an independent investigation?

Mr. President: I would not allow that question.

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 of the questions on the Order Paper for oral response, which would be questions No. 1, No. 2, No. 3, No. 28, No. 29, No. 30, No. 42, No. 46 and No. 47. Thank you, Mr. President.

Mr. President: Sen. John.

ORAL ANSWERS TO QUESTIONS

EOG Resources Gas Supplied to NGC

(Implications of)

- 1. Sen. Jearlean John** on behalf of Sen. Wade Mark, asked the hon. Minister of Energy and Energy Industries:

In light of February 2023 reports on the prices charged by EOG Resources to the National Gas Company of Trinidad and Tobago (NGC) for the supply of gas, can the Minister advise what are the implications of these prices on the overall operations of the NGC and the downstream energy sector?

Mr. President: Leader of Government Business?

Sen. Dr. Browne: Minister of Finance.

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. President. NGC as the domestic gas aggregator purchases gas from all upstream gas suppliers and any changes to upstream gas prices, including EOG's cost of gas, are incorporated into the NGC's weighted average cost of gas as part of its overall operations and sales to its downstream customers. There are no significant implications therefore.

Mr. President: Sen. John.

Sen. John: Can the Minister confirm or deny the disclosure by EOG in the 2022 financial report, that they sold gas to NGC for US \$4.45 per million standard cubic feet?

Mr. President: Minister.

Hon. C. Imbert: I am unable to answer that question at this time, but if the question is posed, it will be answered in the usual manner.

Mr. President: Sen. John.

Sen. John: Mr. President, can the Minister specifically state if this will lead to a disproportionate increase in the price of gas paid by downstreamers to NGC and impact their competitiveness, the cost of their product and, of course, their further competitiveness?

Mr. President: Minister.

Hon. C. Imbert: I would suggest, Mr. President, that the Senator put that as a question on notice and it would be answered in the usual manner.

Mr. President: Sen. John, any more supplementals?

Sen. John: Yes, Mr. President. It is amazing that the Minister of Energy believes that he is above the Parliament.

Mr. President: Sen, John, the question.

Sen. John: Mr. President, would the Minister then agree that the unilateral intervention of the Prime Minister to negotiate a deal without the Chief Technical Office and Accounting Officers of NGC, et cetera, and the highly specialized technocrats in the NGC is not just a debacle, but has really resulted in multibillion-dollar negative consequences?

Mr. President: So that is a statement, Sen. John.

Sen. John: That is the question; if there would be negative consequences relative to the Prime Minister and his Minister of Energy negotiating deals in Houston?

Mr. President: Okay, so that question does not arise. Next supplemental.

Sen. John: Mr. President?

Mr. President: Do you have another supplemental?

Sen. John: Yes, Mr. President. Mr. President, in light of the transparency shown by EOG, a company ranked 186 on Fortune 500, is it possible that NGC will tell the country what BPTT and Shell have paid for gas during a similar period?

Mr. President: Minister.

Hon. C. Imbert: Mr. President, the Senator is making all sorts of statements and I would ask that any such question be put as a question on notice. It will be answered in the usual manner. I am sorry, I cannot respond to wild statements from the Opposition.

Hon. Members: [*Desk thumping*]

Hon. Senators: [*Crosstalk*]

Mr. President: Sen. John, are you asking the next question on the Order Paper?

Sen. John: Question No.2 to the Minister.

Sen. Nakhid: [*Inaudible*]

Sen. John: Exactly.

Mr. President: Sen. John, take a seat. Sen. Nakhid, Sen. Nakhid! Sen. John.

Sen. John: Question No.2 to the Minister of—his clone in Energy and Energy Industry.

Mr. President: Minister of Finance.

Trinidad and Tobago Electricity Commission

(Debt Portfolio)

2. **Sen. Jearlean John** on behalf of Sen. Wade Mark, asked the hon. Minister of Energy and Energy Industries:

As regard the debt portfolio of the Trinidad and Tobago Electricity Commission (T&TEC), can the Minister provide the following:

- (i) the total amount of monies owed by T&TEC to Trinidad Generation Unlimited (TGU); and
- (ii) the total amount of monies owed by the Government of Trinidad and Tobago and its agencies/Ministries to T&TEC?

The Minister of Finance (Hon. Colm Imbert): As of today, there are no arrears on principle amounts owed by T&TEC to TGU. However, there is an amount related to interest on previous arrears to TGU. This matter is being addressed between the parties.

Mr. President: Sen. John.

Sen. John: Mr. President, could the Minister state if these major debts owed to T&TEC by the State, whether it has led to an increase to the consumer at T&TEC rates?

Mr. President: Minister.

Hon. C. Imbert: Sorry, Mr. President, there was a second part of the question, part two. And the answer is: A similar question on this matter was answered by the Minister of Public Utilities in the House of Representatives on September 08, 2023. There has been no significant change since then and the information is available on the Parliament's website. So, perhaps, now the Senator can ask the supplemental.

Mr. President: Sen. John.

Sen. John: Mr. President, can the Minister indicate to the Senate if the amount outstanding to TGU and T&TEC were factored into the final determination of electricity rates as presented to the citizens of Trinidad and Tobago by the RIC, as this is ultimately what is being used to justify T&TEC's rate increase?

Mr. President: No, no, no, Sen. John. Members, so we ask a question, and to tack on statements onto the question is not allowed. So, there is one question that I have heard just now. Minister, the question has been asked.

Hon. C. Imbert: Mr. President, it is quite ridiculous to ask questions about the Regulated Industries Commission.

Hon. Senators: *[Interruption and crosstalk]*

Hon. C. Imbert: Mr. President, what is going on?

Mr. President: Have a seat. It has been a little while, I know, since we have gone through this particular process as it relates to questions for oral answer. So I am getting a lot more crosstalk than I am used to in this process. Let the process run its course. Ask the question succinctly and the Minister, if allowed to do so, will answer the question succinctly. Minister.

Hon. C. Imbert: Yes, Mr. President. It is in my opinion quite ridiculous to ask a supplemental question about the Regulated Industries Commission on a question about the Trinidad and Tobago Electricity Commission. It is impossible to answer

that question, based on the original question and I would, therefore ask the Senator, put the question on notice. It would be answered in the usual manner.

Mr. President: Sen. John.

Sen. John: Mr. President, could the Minister state if the Government would be willing to ensure that all state Government of Trinidad and Tobago debts to T&TEC are paid, thereby providing a lifeline to T&TEC to postpone any rate increases for the upcoming fiscal year?

Mr. President: Minister.

Hon. C. Imbert: Mr. President, the Government continuously provides appropriations and allocations to state entities, Ministries and departments to clear their arrears to utility companies.

Atlantic LNG Trains 2, 3 and 4 Gas Benchmark Prices

(Applicability of)

3. Sen. Jearlene John on behalf of Sen. Wade Mark, asked the hon. Minister of Energy and Energy Industries:

As regard the sales of LNG from Atlantic Trains 2, 3 and 4, can the Minister advise whether the Japan Korea Market (JKM), the National Balancing Point (NBP) or the Transfer Title Facility (TTF) natural gas benchmark prices are applicable?

Mr. President: Minister of Finance.

The Minister of Finance (Hon. Colm Imbert): Thank you. Pricing at Atlantic LNG is a confidential component of commercial contract arrangements. Accordingly, specific details cannot be provided.

Mr. President: Sen. John. \

Sen. John: Mr. President, EOG published their pricing. Everything is secret with this Government.

Mr. President: Sen. John, that is a statement. I am looking for a question.

Sen. John: So I will have no other questions because this Minister can answer nothing.

Mr. President: So, then, take a seat, Sen. John if there are no questions. Again, I am going to say it, this process is very simple. A question is asked on the Order Paper; the Senator asking the question is invited to call out the number, the Minister to whom the question pertains answers the question and there are supplemental questions allowed. There are not statements to be made within this process. Sen. Lyder.

Sen. Lyder: Thank you, Mr. President. Question No.28 to the Minister of Works and Transport.

Mr. President: So, Sen. Lyder, question No.28 on the Order Paper says to the Minister of Finance. Minister of Finance—

Sen. Lyder: Even better, even better.

Hon. C. Imbert: I am ready.

Mr. President: So who is going to answer the question? The Order Paper says Minister of Finance. The Minister of Finance.

Central Bank's July 2023 Economic Bulletin

(Details of)

28. Sen. Damian Lyder asked the hon. Minister of Finance:

Given that the Central Bank's July 2023 Economic Bulletin reported stagnant employment numbers for the Transport, Storage and Communication, and Construction Sectors, can the Minister outline the Government's plans to encourage job creation in this subsector of the economy?

The Minister of Finance (Hon. Colm Imbert): The Minister of Finance. Yes,

me. Mr. President, while the July, 2023, Economic Bulletin provides valuable insights, it is important to note that the employment data presented in that report is now outdated. In September 2023, the Central Statistical Office released more recent employment data up to the second quarter of 2023, which reflects improving employment conditions in both the transport, storage and communication, and construction sectors. In the construction sector, the data reveals a substantial improvement in the number of employed individuals, from 64,900 in the first quarter of 2023, to 78,400 in the second quarter of 2023.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: Similarly, within the transport, storage, and communication sector, the number of employed individuals increased from 28,900 persons in the first quarter of 2023, to 34,200 persons in the second quarter of this year.

Hon. Senator: [*Desk thumping*]

Hon. C. Imbert: Accordingly, an additional 13,500 persons were employed in the construction sector in the second quarter of 2023, compared to the first quarter of 2023. Further, the number of additional persons employed in this sector was 15,400, when a comparison is made to the first quarter of 2022. So, 15,400 new construction jobs have been created during the first six months of 2023.

Hon. Members: [*Desk thumping*]

Hon. C. Imbert: In the transport, storage, and communication sector, Mr. President, an additional 5,300 jobs were created in the second quarter of 2023 alone. Clearly, the Government's efforts to create jobs in these sectors are yielding very positive results.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: As a result, this question is totally irrelevant and misleading since in no way could any reasonable person infer that this data creates a condition

of stagnant employment numbers. In fact, he would have to be seriously disturbed to think that increases are stagnant. I thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Lyder.

Sen. Lyder: Thank you, Mr. President. After all of that, disturbed—what I heard being so disturbing—

Mr. President: Sen. Lyder. Question.

Sen. Lyder: Mr. President, however, the facts are the facts, and given that the construction Sub-Item of the Ministry of Works and Transport's Draft Estimates for 2024, is more than \$2 million lower than—

Mr. President: Sen. Lyder.

Sen. Lyder:—what was allotted in '23 to—

Mr. President: What is the question?

Sen. Lyder: The question, through you to the Minister of Works—sorry, the Minister of Finance, is this an indicator after all of this boasting that we will see this employment decline as a result of Government reducing their investment in this sector?

Mr. President: So, number one, I did not get that question and I am certain nobody else in here got it. Again, ask the question succinctly, as a question.

Sen. Lyder: Mr. President, I will repeat because there is a context. Given that the construction Sub-Item in the Ministry of—

Mr. President: So, okay have a seat. Take your time. We all know what a question is. We do not need to create a long run-up, keep it succinct. There is a very limited time to get through the process of oral questions. Okay?

Sen. Lyder: Thank you, Mr. President. Given that this Government has reduced its expenditure in the construction sector through the Ministry of Works and Transport, is this an indicator that after all the boasting today, that we will see a decline in the construction sector in the year 2023/2024?

2.05 p.m.

Sen. Lyder: No, you reduce your investment in the—

Mr. President: Sen. Lyder, Sen. Lyder, let me respond. I will not allow that question. Next supplemental.

Sen. Lyder: Mr. President, given that the Road Map to Recovery and the subsequent previous budget presentations, that the construction sector would have been termed as the enabling sector to aid us against the losses of the pandemic and the drop in the energy sector, mainly via increased public spending, does this decline in expenditure by this Government indicate that the Government has now abandoned the plans to use construction as an enabling sector?

Mr. President: So, again, the question does not arise. Next supplemental. Sen. Lyder.

Shortfall in Services by PTSC

(Steps taken to address)

29. Sen. Damian Lyder asked the hon. Minister of Works and Transport: Given that the Public Transport Service Corporation (PTSC) recently indicated that it can only service 79 out of a possible 163 routes, can the Minister indicate what steps have been taken to address this shortfall in services by the PTSC?

Mr. President: Minister of Works and Transport.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Mr. President. The Public Transport Service Corporation is evaluating

tenders for the procurement and operationalization of 300 new buses, comprising 240 electric, 30 CNG, and 30 diesel-powered buses. In addition, the tenders include the acquisition of an intelligent public transportation solution system for the 300 buses, which will enable PTSC to provide a more efficient service to the public.

The PTSC has also taken steps to improve the daily availability of buses, which includes the successful implementation of a fleet maintenance and management report system, improvement of preventative maintenance of buses, implementation of systems to respond to breakdowns, streamlining procurement of spare parts and planned maintenance, implementation of measures to reduce the repair time. Further, the corporation has operationalized five new buses serving the rural communities in Mamoral, Erin, St. Helena, Toco and Blanchisseuse. There is also planned development and operationalization of transportation hubs, depots, and passenger facilities terminals in Siparia, Rio Claro, Chaguanas, Tarouba, and Tobago to provide more communities with improved access to PTSC services. I thank you.

Mr. President: Sen. Lyder.

Sen. Lyder: Thank you, Mr. President. Thorough you, can the hon. Minister indicate to this Senate when do we expect the completion of the bids, the completion of the process, and buses to be landed in service in Trinidad and Tobago to take care of this big shortfall?

Mr. President: Minister.

Sen. The Hon. R. Sinanan: Mr. President, we recognize that we have passed the procurement legislation and this Government respects the process of the procurement of the buses. The process is ongoing, it is at the evaluation stage, the Minister will not get involved in that, and at the shortest possible time when a

contractor or a preferred bidder has been identified, the Minister will then take it forward to ensure that the buses reach here in the shortest possible time. Thank you.

Mr. President: Sen. Lyder.

Sen. Lyder: Thank you, Mr. President, and through you, Mr. President, to the hon. Minister of Works and Transports: Can the Minister tell this Senate, given his previous response indicating no knowledge when it will be completed, has the Government studied the negative impact to the citizens of Trinidad and Tobago, and put in place anything to resolve this negative impact, because we are speaking about a significant shortfall in the amount of buses?

Sen. The Hon. R. Sinanan: Mr. President, a shortfall in buses is nothing new. The purchase of buses has always been an ongoing process. We have just completed the purchase of the last 100 buses where we had the last five coming in. The step going forward to bring in 300 buses is because the Government has identified the amount of buses needed in the fleet, and for the first time, we are taking this bold move at PTSC to have adequate buses for the amount of routes, and just not for the routes that are serviced now but to also ensure the PTSC is the number one mode of public transportation.

We have identified that we cannot build ourselves out of traffic jams and we have to look at mass transportation and we are working with PTSC. That is why I read out all the steps being taken to ensure that the PTSC comes up to the sort of standard and reliability that is required for a proper public transportation service. We have engaged several other methods of transportation. We have just approved a checkered band maxi system for the first time in Trinidad to work in rural areas because we are looking at the national transportation plan as a holistic approach where we are looking at both land, sea, and air to ensure that transportation

mobility in Trinidad and Tobago is of a world-class standard. Thank you.

Mr. President: Sen. Lyder.

Sen. Lyder: Thank you, Mr. President. Mr. President, to the Minister of Works and Transport. Can the Minister tell this House, after eight years of the PNM being in power, has this Government decided to alter the system of projections in terms of ordering buses so that we do not end up in this major shortfall again? They are eight years here now, Mr. President.

Sen. The Hon. R. Sinanan: Mr. President, the Senator keeps talking about eight years and because it is Divali I would not want to spoil the mood.

Hon. Senator: Spoil it.

Sen. The Hon. R. Sinanan: But I can tell you—spoil it? What is strange is that in my first year of office as Minister I found a report that was commissioned by the former Minister of Transport under the then UNC Government, that said that some of the PTSC buses, as much as they were short, some of them were being used as hotels.

Sen. Mitchell: “Ohhhhh.”

Mr. Hinds: So to come and say today that the Government—

Sen. Lyder: “Wha kinda answer is dat?”

Sen. The Hon. R. Sinanan: The Government, after eight years—

Mr. President: Have a seat, Minister. Have a seat, Minister. Sen. Lyder, number one, do not let that happen again by way of an outburst when a Minister is responding to a question. Allow the Minister to answer the question. Minister.

Sen. The Hon. R. Sinanan: Mr. President, this Government did not take eight years. As Minister I have delivered 100 buses over the last eight years.

Hon. Senators: [*Desk thumping*]

Mr. Hinds: “Ohhhhh.”

Sen. The Hon. R. Sinanan: One hundred, and I intend to deliver another 300 before I demit office.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Sinanan: But none of these buses, none of these buses will be used as hotels, I give you that assurance. Thank you.

Mr. President: Sen. Lyder.

Leasing of the *MV Emprendedora*

(Details of)

30. Sen. Damian Lyder asked the hon. Minister of Works and Transport: Given the August 2023 fire onboard the *MV Cabo Star* and subsequent leasing of the *MV Emprendedora*, with one-tenth capacity of the *Cabo Star* vessel, causing strain in the movement of goods and services between Trinidad and Tobago, can the Minister provide the following:

- (i) the rationale behind leasing a significantly smaller capacity transport vessel to replace the *MV Cabo Star*;
- (ii) what, if any, compensation has been rendered to citizens and business owners negatively affected by the incident; and,
- (iii) any plans to prevent such disruption in the movement of goods and services between Trinidad and Tobago in the future?

Mr. President: Minister of Works and Transport.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):

Thank you again, Mr. President. Mr. President, following the fire on the boat the *MV Cabo Star*, the owners of the vessel arranged for an interim vessel to transport cargo to and from Tobago at a reduced cost to the Government of Trinidad and Tobago. Although it had a smaller capacity than the *MV Cabo Star*, the *MV Emprendedora*, which is registered in neighbouring Venezuela, was available at

short notice and was put into service in Trinidad and Tobago with effect from September 12th, 2023. In the absence of the *MV Cabo Star*, and while arrangements were being made for the interim replacement of the cargo vessel, the *Galleon Passage* was assigned to carry cargo between the islands. Additional sailings were also scheduled on the *APT James* and the *Buccoo Reef* to assist with transporting essential cargo at all times in the event of an unforeseen malfunction of any vessel on the interisland service. To minimize the disruption of the movement of goods, additional sailings of the available fleet are utilized to compensate for any shortfall.

Further, it should be noted that the vessels operating on the interisland service must comply with the respective statutory maintenance programme and dry docking schedule to ensure they operate safely and maintain class certification. Accordingly, whenever a more extended period of absence is required to conduct major maintenance or dry docking work, replacement vessels are chartered if necessary. I thank you.

Mr. President: Sen. Lyder.

Sen. Lyder: Thank you, Mr. President. Can the hon. Minister indicate the cost of the repair works done on the *MV Cabo Star* subsequent to this incident?

Sen. The Hon. R. Sinanan: Mr. President, again, if the Member does his homework or understands what is happening, this vessel is a chartered vessel and any expenditure to repair is borne by the charterers or the owners of the vessel, the Government has no expenditure in the repairs of a chartered vessel. Thank you.

Mr. President: Sen. Lyder.

Sen. Lyder: Thank you, Mr. President. To the Minister, given that the use of the *MV Emprendedora* was unsuccessful in mitigating the losses of the *Cabo Star* shutdown, is the Government putting anything in place for the future for future and

similar incidents onboard the *APT James*, *Buccoo Reef* or the “*Cabo Star*” in an effort to mitigate against further losses, especially to the business community of Trinidad and Tobago?

Mr. President: Minister.

Sen. The Hon. R. Sinanan: Mr. President, again, I do not know where information is coming from. However, I met with the Tobago Business Chamber with a delegation from the Port Authority and the Ministry, and they clearly indicated to us, while there was minimal inconvenience, they were quite satisfied with the effort made by the port. That was carried in the national newspapers of Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Sinanan: And going forward, that is why the Government has the foresight where we have four vessels. Four vessels, for the first time in the history of Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Sinanan: All these vessels are capable of transporting cargo, so in the event of an unforeseen circumstance we have several others, we have the *APT James*, the *Buccoo Reef*, the *Spirit*, the *Galleon Passage*, and we also have the *Cabo Star*. Five vessels for the first time in Trinidad and Tobago where we have thousands of extra capacity seats available, and also cargo space. So I do not know if the Member wants some more information. I am quite prepared to share with him so he would not put misinformation in the public domain. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen, Lyder.

Sen. Lyder: Yes, I would like some more information. In fact, can the Minister indicate here or now in writing the total cost of leasing the *MV Emprendedora*? Is

that what it is called?—*Emprendedora*.

Sen. The Hon. R. Sinanan: Mr. President—

Mr. President: Sen. Lyder, allow him to answer the question.

Sen. The Hon. R. Sinanan:—I indicated at the start that the vessel was leased by the owners of the *Cabo Star* at a reduced price because it had less capacity. I indicated that at the start, all right. So, the vessel was not leased by the State. Thank you.

Mr. President: Sen. Lyder, any more supplementals?

Sen. Lyder: No, that is it, Mr. President.

Mr. President: Sen. Dr. Paul Richards.

Pepper Spray Licences

(Details of)

42. Sen. Dr. Paul Richards asked the hon. Minister of National Security: Given the commencement of the Firearms (Amendment) Act, 2021, can the Minister advise as to the following:

- (i) how many applications have been received for pepper spray licences since the commencement of the Act;
- (ii) how many pepper spray licences have been granted, disaggregated by gender, since the commencement of the Act;
- (iii) what is the average time elapsed between application and approval/denial of application for licences; and
- (iv) how many agents for the distribution and retail of pepper spray devices are registered and approved?

Mr. President: Minister of National Security.

Hon. Senators: [*Desk thumping*]

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you have

kindly, Mr. President. According to information received from the Commissioner of Police, since the commencement of the Act, there have been 517 applications for pepper spray licences as at the 12th of October 2023, and they are as follows: Importers applications, 110; retailer or distributor applications, 23; and individual user applications, 384. Since the commencement of the Act, the number of licences granted and disaggregated is as follows: For the importers, eight have been distributed, six males, two female; as for retailers, three males, one female; and as for users 15 males, 23 females.

Mr. President, the average duration for the approval or denial of a pepper spray permit application, considering the varying categories, are as follows: For importers licences eight weeks, retailers eight weeks, and for the users, four weeks. May I thank you?

Mr. President: Sen. Dr. Richards.

Sen. Dr. Richards: Thank you, Mr. President, through you to the hon. Minister. Thank you for the information. Could the Minister clarify? The Minister indicated 384 user's applications, and 15 male and 23 female, is that those who were granted, Minister?

Hon. F. Hinds: I indicated—the number of licences granted were as I have described them.

Mr. President: Senator.

Sen. Dr. Richards: Thank you. Can the Minister indicate, given the novelty of this legislation, if the monitoring of the quality, type, and specific approved types of pepper spray imported into the country are being monitored and regulated effectively?

Hon. F. Hinds: I would think so since I am confident that the Commissioner of Police, in administering this law, would do so in accordance with the laws and the

regulations that surround them.

2.20 p.m.

Sen. Dr. Richards: Thank you, final question in this supplemental. Can Minister indicate if the Commissioner of Police and her team are also monitoring illegal importation of the pepper sprays into the country to protect the public interest?

Mr. President: Minister.

Hon. F. Hinds: Again Mr. President, I would anticipate, I would expect that to be the case since it is the business of the police to prevent crimes and other infractions of the laws.

Mr. President: Sen. Dr. Paul Richards.

Functional Police Vehicles per Division

(Number of)

46. Sen. Dr. Paul Richards asked the hon. Minister of National Security: Can the Minister identify the average number of functional police vehicles, per Police Division, for the period September 2022 to September 2023?

Mr. President: Minister of National Security.

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you yet again, Mr. President. Again, according to information received from the Commissioner of Police, the average numbers of functional police vehicles as per police division for the period September 2022 to September 2023 are as follows:

In the Central Division, 50 vehicles. Northern Division North—since Northern Division was relatively recently divided into two North Central and North—38; North Central Division, 32; Eastern Division, 28; North Eastern Division, 17; Port of Spain Division 17; Southern Division, 37; South Western Division, 21; Tobago Division, 84; Western Division, 25. Thank you.

Sen. Dr. P. Richards: Thank you Minister, through you Mr. President. Would

the Minister have a total number of active functional vehicles, given the disaggregation he has provided?

Mr. President: Minister of National Security.

Hon. F. Hinds: I saw the Senator was calculating as I went along but for his convenience—

Sen. Dr. P. Richards: I was writing.

Hon. F. Hinds:—the figure is 349.

Mr. President: Senator.

Sen. Dr. P. Richards: Thank you. Can the Minister indicate, given the numerous reports by members of the public of poor response time by the police service when reports of crimes are sent to police stations, in addition to sometimes police precincts indicating they have no vehicle, if he is satisfied with this number of vehicles, functional vehicles available to the Trinidad and Tobago Police Service?

Mr. President: Minister.

Hon. F. Hinds: All things consider, I would never be satisfied until there is absolutely no such complaint. In the circumstances, as we speak, the Government is in the process of, as we have been doing regularly in the recent past, we are in the process of acquiring replacement vehicles for those that are dysfunctional from the police service, the defence force, the prison service as well. So, yes it is an ongoing business Mr. President, and we are constantly working on upgrading our fleet, improving the numbers, so that the police will have the resources to carry out their work as they are expected to.

Mr. President: Senator.

Sen. Dr. P. Richards: Thank you, final supplemental on this question. Can the Minister indicate, if given this response you have just provided of the Government seeking to acquire new vehicles for the police service and other arms of national

security, if he is satisfied that effective maintenance schedules are in place to ensure that the vehicles that are active are maintained for maximum use?

Mr. President: Minister.

Hon. F. Hinds: Again, I could not truthfully say that I am satisfied, one is always aspiring to do better. There have been instances of misuse, abuse of police vehicles—vehicles generally. I think it is truthful and safe to say that our record as a nation in respect of the maintenance of our assets, might not have always been where they ought to be. But on each occasion from here on out, we take action as a Government to ensure that is we acquire new assets whether they are marine assets, or vehicles we put systems in place for upgrading and improve maintenance. Thank you very much.

Mr. President: Sen. Dr. Paul Richards.

**Percentage of Suspects/Persons Arrested
and Charged For Murder**

47. Sen. Dr. Paul Richards asked the hon. Minister of National Security: Can the Minister identify the percentage of suspects/persons arrested and charged for murder for the period September 2022-2023 compared to the murders reported in the said period?

Mr. President: Minister of National Security.

The Minister of National Security (Hon. Fitzgerald Hinds): Yet again I am in the spirit of gratitude for an opportunity to respond to the question of the learned Senator. According to information received from the Commissioner of Police for the period September 2022 to 2023, there were 663 murders, while the percentage of suspects or persons arrested and charged for murders was 16 per cent.

Mr. President: Senator.

Sen. Dr. P. Richards: Thank you, Mr. President. Is the Minister satisfied given the primary issue facing the country with that level of detection rate and arrests?

Mr. President: Minister.

Hon. F. Hinds: Absolutely not, it is the reason why this Minister with the support of the Cabinet and the Government, we have spent a lot of time and resources improving our scientific response to crime, our scientific approaches to solving crime. We have taken action. We have improved affairs at the Forensic Science Centre in every department—in the biology section, in the DNA section, in the ballistics section, we have been improving the resources and the police, the end users, have been constantly reporting. We have strengthened SERU, which is the police's scientific unit, looking at evidence recovery. They are consistently indicating that the systems that they work are improving and they are getting better and better results.

But I have observed as Minister of National Security that while that is happening—because they have charged more people this year for murders, I think the last figure I revealed to this Parliament was about 87 people, some for offences that took place last year as well, they have been improving their technique. I am confident and can truthfully say that. However, the rate of killings in this country with the advent of all of these automatic weapons, using military grade ammunition, is really putting stresses on the system, hence the reason why we are as well taking action to improve our border security, to improve our border management, with marine assets, with training, with setting up AIRCOP and SEACOP and other such actions to deal with this threatening situation that is affronting all of us in Trinidad and Tobago.

And another approach we take is the legislative approach so, from time to time we will come to this House with measures seeking the support of my friends

on the other side, to toughen our response as a nation to those who are perpetrating criminal acts against us and in that regard, I look forward to support from my friends on the other side. I thank you.

Mr. Lyder: [*Inaudible*]

Mr. President: Senator.

Hon. Senators: [*Desk thumping*]

Sen. Dr. P. Richards: Final question. Can the Minister indicate—the Minister indicated sorry, that for the time period identified, September 2022 to September 2003, there was 663 murders reported and 14 per cent of those attracted charges, can the Minister—

Hon. Senator: 16.

Sen. Dr. P. Richards:—16 per cent sorry, apologize, and because we know that some suspects may kill more than one person, can the Minister disaggregate and let us know how many charges were laid to specific persons related to those 663 murders?

Mr. President: Minister.

Hon. F. Hinds: A very sensible and analytical question, but unfortunately, I should be unable to say so at this time. If given an opportunity, I should respond in writing or at a later stage to the specific question from the learned Senator. I thank you.

Mr. President: Senator.

Sen. Dr. P. Richards: Thank you. I would appreciate it in writing. Thank you, Minister. Thank you, Mr. President.

Mr. President: Leader of Government Business.

JOINT SELECT COMMITTEE

(APPOINTMENT)

Representation of the People (Amdt.) Bill, 2020

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, with regard to the correspondence from the Speaker of the House dated 04 November, 2023 in relation to the establishment of a Joint Select Committee to consider and report on the Representation of the People (Amdt.) Bill, 2020, I beg to move:

That the Senate concur with the House of Representatives in the establishment of the Committee, and that the following six Senators be appointed to serve:

1. Dr. Amery Browne
2. Mrs. Paula Gopee-Scoon.
3. Mr. Randall Mitchell.
4. Mr. Wade Mark.
5. Dr. Maria Dillon-Remy; and
6. Mr. Deeroop Teemal.

Question put and agreed to.

**Public Procurement and Disposal of Public Property (Exemption)
(Financing Services) Order, 2023 (Annulled)**

Sen. Jayanti Lutchmedial: Mr. President, in accordance with Standing Order 39 (2), I beg to move the following Motion standing in the name of Sen. Wade Mark:

Whereas by virtue of Section 76 (e) of the Public Procurement and Disposal of Property Act, 2015, the Minister of Finance may upon his initiative with the agreement of the Office of Procurement Regulation subject to the negative resolution of Parliament, by Order, determine that the Act shall not apply to services provided to public bodies or State-controlled enterprises;
And whereas by the Public Procurement and Disposal of Public Property (Exemption) (Financing Services) Order, 2023 published on the 8th May 2023 by Legal Notice 270 dated 7th September 2023, provided at Clause 3 of

the said Order that the Act does not apply to the procurement of financing services by the Ministry with responsibility for finance for (a) central government; or (b) a public body, where the financing services are to be guaranteed by the Government;

And whereas the Public Procurement and Disposal of Public Property (Exemption) (Financing Services) Order, 2023 is contrary to the principles of good governance, namely accountability, transparency, integrity and value for money;

Be it resolved that the Public Procurement and Disposal of Public Property (Exemption) (Financing Services) Order, 2023 be annulled.

Mr. President, I wish to begin my presentation on this Motion by thanking Sen. Mark firstly, for filing this very timely Motion.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: It is in keeping, of course with the mandate and of the Opposition United National Congress as we continue to be vigilant, and discharge our duty to the people of Trinidad and Tobago, by holding the Government to account—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—by utilizing the Parliament as a forum to ventilate issues which affect the people of Trinidad and Tobago. And this includes an examination of all actions taken by the Government and the opportunity for this House—this Senate and we are in the other place to debate Orders which are passed and which are subject to the negative resolution of Parliament.

This Senate today has the opportunity to undo an action taken by the Government—by the Minister of Finance on behalf of the Government, which we believe is not in the best interest of the people of Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: And so we have utilized the procedures of this Parliament to give this Senate that opportunity and I call upon all Members of this Senate, to carefully consider what this Order that has been passed by the Minister of Finance—what it will introduce, how it will impact upon individuals, businesses, corporate entities, and the public as a whole. And to determine when they listen to the information presented here today, whether it is in the best interest of us as a country to exempt certain services from the oversight of the procurement regulator and to completely exempt those services from the provisions of the procurement Act.

I think in order for us to have a healthy and informative debate, it is necessary for a little bit of context and for us to also look at a little bit of history, as it surrounds public procurement and this piece of legislation, which continues to be whittled away by this Government.

Mr. President, it is the People's Partnership Government that enacted the Public Procurement and Disposal of Public Property Act, 2015. It was not something that was done overnight. In fact, it was in response to decades of representation from all different sectors within this country, whether it be from construction, whether it came out of various commissions of inquiry, and we have been here, at least on two occasions that I could recall, to debate procurement issues. It comes up in almost every discussion that we have and every debate that

we have at budget time. And so we are all familiar with the history and the calls being made for a better system of procurement.

2.35 pm

The sitting Government now, when they were in Opposition, even when they were coming into government, lamented the fact, that what we had passing as a procurement system in this country under the Central Tenders Board Act was inefficient. It did not permit sufficient oversight, it was outdated, the procedures did not work for us, we need a change and more than that, the issue of corruption and a lack of transparency and accountability, plagued public procurement for decades. It is under the leadership of Kamla Persad-Bissessar and the People's Partnership Government that we sought to treat with that problem by bringing this piece of legislation.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: I feel it is necessary to remind the public that when this Government sat in Opposition, and Mrs. Persad-Bissessar and her Government took the very brave and bold step to pass this law, that the People's National Movement, then in Opposition, not only walked out of the Joint Select Committee that was appointed to treat with the Bill—they walked out of it. They did not participate in the Joint Select Committee that dealt with the Bill, and then they did not vote to support it. So their history, and their approach to public procurement, is evident from as early as 2015. They did not—in fact they abstained from voting on this very good piece of legislation that was introduced by the People's Partnership led by the UNC, led by Kamla Persad-Bissessar, and they did not seem to be interested. And that particular perception that began in 2015, that you could have of this particular Government, they have cemented that perception by their

actions.

Because, what they did they do, since they entered into office? And let us look at the history of amendments.

In 2016, they brought amendments to insert a review board to be appointed by the President on the advice, I think after consultation with the Prime Minister and Leader of the Opposition as an added layer, where someone must then go before the review board to question the decision taken by the regulator before they proceed to the court. So they have made the proceedings in our view a little lengthy and so on.

In 2017, they came with another set of amendments to shorten the time for the office of the procurement regulator, as well as members of the board. It did not seem that they want the procurement regulator to be there for seven years. They thought that five years were sufficient, and that they can change who the procurement regulator needed to be.

Again, those time frames were not picked out, or plucked out of the air when the original Bill was passed. It was done after extensive consultation with stakeholders, the private sector and the persons who had been clamouring for this particular piece of legislation to be enacted for decades. But when this Government came into office, they made changes and—we could only speculate as to who they consulted with, because I have gone back and I have looked through the records and I have—tried to find whatever justification they may have for these changes and I have been unable to find any of substance.

In 2020, the most dastardly act of decimation against the public procurement regime—and all of this time, Mr. President, I do not think I need to remind you. But I will remind the public that all of this time, year after year after year, from

when they assumed office, from when the Government assumed office in 2015, every budget presentation, every time the question would be posed by members of industry and persons who belonged to the chambers of commerce, they would say that they are working, you know, towards that, that the public procurement law would be rolled out this year. This will be done, that will be done, the regulations it was reported had been submitted for—I do not know, an extended period of time to the Minister, it had not been dealt with. And today, some eight years later, we still do not have a fully functional system for public procurement under this piece of legislation; what we do have are amendments being brought.

So in 2020, five years after coming into office, having not proclaimed and not implemented the Public Procurement and Disposal of Public Property Act, the Government sought to bring exemptions, and they sought to exempt a series of services, including legal services, medical services. And they included in that original Bill, financing services which it was then amended to say, debt financing services for the national budget, as well as accounting and auditing services, and I will revert to speaking about the debate on that particular Bill in a short period of time.

2.40 p.m.

Mr. President, it is passing strange that in—again, when they were in Opposition, and I found the debate in the *Hansard* when the hon. Prime Minister, then Leader of the Opposition spoke on the 5th of December, 2014, saying that, you know, in relation to the passage of that particular Bill by the People’s Partnership administration, he says:

“...even now as they pass it, as they will, ask them when they intend to proclaim it, and if they can tell us that now, I will be educated.”

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

Mr. President, I beg to be educated from this Government now, when do you intend to stop—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—trimming, cutting, exempting things out of this piece of legislation and bringing it into effect? Because in 2015 you seemed very hot, sweaty and, you know, perturbed, very perturbed about the implementation of this law when you sat in Opposition. And no less a person than the hon. Prime Minister at the time as Leader of the Opposition kept raising this concern.

So we continue to raise these concerns but as we, representing the people who are of Trinidad and Tobago and several other entities out there representing the interests of various stakeholder groups, continue to ask, when will we have a functional procurement agency and a functional system of public procurement in this country that will work in the interest of the people of Trinidad and Tobago? We have asked it year after year, time after time, and up to now we cannot get a proper substantial answer that actually materializes from this Government, and that, Mr. President is a travesty. But to add insult to injury, what they continue to do is to remove services from the oversight of the Procurement Regulator.

So earlier this year we came after again being caught red-handed, hand in the cookie jar, having not utilized and having broken the law in relation to public procurement and procuring services for a CARICOM crime summit at the Hyatt for the symposium, the—again, thanks to the vigilance of the Opposition—

Hon. Senator: Yes.

Hon. Senators: [*Desk thumping*]

Hon. Senator: Always on top of them.

Sen. J. Lutchmedial:—they were called out. I heard the hon. Prime Minister refer

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

to—how did he refer to MP, the MP for Barataria/San Juan as “the little one from San Juan”?

Hon. Senator: Yes.

Sen. J. Lutchmedial: Well, I want to tell him, that bright boy from San Juan—

Hon. Senator: Yes.

Hon. Senator: Bright boy.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—that bright boy from San Juan had them coming here and begging this Senate to validate their illegality earlier this year and now they have removed certain things that relate to conferences and seminars, and so on, where foreign heads of government will attend, and they brought another order earlier this year exempting a series of services to be provided to the Judiciary.

The only way I could describe the justification given to this Parliament during that debate, because I went back and I looked at it again—I looked at it on YouTube, and I am very grateful that we have these things now recorded so I do not have to read it all. I can listen to it in the car or wherever I want to listen to it, but I listened to it and it is wishy-washy. That is the only word I could come up with, it is wishy-washy justification for the removal of these things from the oversight of the procurement regulator. It is really, totally and completely, you know, lacking in any substance why it is we cannot have a procurement regulator having oversight over these issues.

So then that brings us now to the present day and what we have is that—

Mr. Imbert: Mr. President—

Sen. J. Lutchmedial:—the Minister has brought another order—

Mr. Imbert:—point of order—

Mr. Vice-President: There is a point of order.

Mr. Imbert: 46(1), this Motion deals with a specific order dealing with specific things.

Mr. Vice-President: Okay. So the point of order raised is one on relevance, and as much as you are the mover of the Motion today, and that context has been created, you are, based on what I have heard, getting to the Order that is before us. For other Members that may wish to join, the issue that is before the Senate right now is very, very specific, so as you intend to join the debate, there is a boundary and a line that is very tight as it relates to this. So, Senator, continue.

Sen. J. Lutchmedial: Thank you, Mr. President. And as I said, context and history is important so we could have a meaningful debate because the Order before us today is now seeking to exempt further services.

So we have a history of things being removed by way of amendments and now we have, for the second time in a very short space of time, certain activities and services being removed by way of order put into effect on the 7th day of September, 2023, subject to the negative resolution of Parliament. You know, the Opposition always—and when the 2020 amendments were brought, we argued against the negative resolution because—and, again, for the knowledge of the public and perhaps others who may be even in here, when something comes into effect and it can be utilized before this debate takes place and before we have an opportunity to bring the Motion, it is there, and it is in effect once it is signed by the Minister. And when you are taking drastic measures, like removing something as broad and as wide as financing services from oversight of the procurement regulator, these things ought not to be done by way of negative resolution. So I want to make the point again—

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—that the Opposition continues to make, that parliamentary approval before—parliamentary approval before drastic measures like this take effect, ought to be the order of the day and not the manner in which we are going about it now, because since the 7th of September, this Order has been in effect, and we are today in November.

Hon. Senator: [*Inaudible*]

Sen. J. Lutchmedial: All right. Almost two months.

Mr. President, why it is necessary for us again to look at what we are exempting this financing services from? What does the public procurement Act provide for? It provides for state enterprises to essentially be able to publish or mandate that they, as long as it is available, publish information for upcoming procurement that may be done in short order after the budget, because that is when it is expected that state enterprises and agencies of the Government, and so on, will know what they intend to buy and what they intend to procure. It provides for even the promotion of local industry development by way of, you know, limiting the persons who can participate. It provides for due diligence. It provides for challenge proceedings. You can disqualify people for certain reasons.

When you exempt a particular category of services from all of this, you deprive the people of Trinidad and Tobago of what is provided for in this Act. And what is provided for in this Act, Mr. President—you know, I could find again, because I went back to look at the debate when it was the original piece of law was being passed, and I could find no better way to describe what this Act will do and what we are now depriving the country of as it relates to financing services, but I found that the words of the then hon. Prime Minister, now Opposition leader, what

she had to say about the Bill, and I am quoting from the *Hansard* on the 5th of December, 2014

“It is a very simple, clear, very focused Bill: to build integrity in public procurement. It seeks to promote...”—

Mr. Imbert: Mr. President, point of order, this is simply to add the government-guaranteed financing to an exemption that already exists for financing for the national budget. That is all this is.

Mr. President: So I am assuming there is a point of order in there. So, again, Senator, you have created the context, you have gotten to what is before us, this is not allowed in terms of rehashing the debate as it relates to the passage of the public procurement Act. We are not going back into that and there is no need to actually quote from the *Hansard* in relation to that. What we have before us is extremely, extremely tight and specific. So you have started down that road of speaking to it, I would ask you to continue.

Sen. J. Lutchmedial: Yes. Mr. President, if we are to understand what we are exempting, we must understand what the public procurement Bill is about.

Hon. Senator: Exactly.

Sen. J. Lutchmedial: So we have to ask ourselves what public procurement is about. The Act itself states what it is about and we are now removing a classification of services out of the oversight for this particular piece of law. So I think it is extremely important.

Well, let us go a little more into context. Mr. President, when we are dealing with financing services—and the Minister is right, the 2020 amendment eventually said debt financing services for the national budget, but, Mr. President, I want to remind this honourable Senate and Members who may have been here and some

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

who are new, that when the 2020 amendment was first presented in this House, it said that the Act will not apply to legal services, and it said the same thing, “financial services”—very, very broad, “financial services”. And it was because of the very vociferous arguments put forward by Members of this House, and the very stringent and very pertinent concerns raised by both the Opposition and Independent Bench that that amendment was made. And what we have here now is an Order being signed in September '23, surreptitiously introducing back into the public procurement legislation, the exact thing that this Senate—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—did not want in 2020. The exact thing.

So I know they do not want to hear about the history and the context because they perhaps do not want us to highlight the fact that what we actually argued against in 2020, what we forced them to amend in 2020, it is back again and it has come through the back door by way of an order. It has been in effect since September and we are here today to argue against it because it is—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: So I know every time I talk about history, I will hear someone opposite jump up on a Standing Order because they do not want to be reminded that they tried this shot before.

Hon. Senator: Yes.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: They come back with the same shot again. And at that point in time when financing services sought to be exempted and the Minister had been winding up on the debate on that Bill, he said:

We will change financing services to debt financing services for the national

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

budget.

So it becomes crystal clear, it is not any ordinary common or garden financial service, it is financing specifically for the national budget. That was the undertaking given by the Minister then. The amendment was moved on the floor during the committee stage and the amendment was made to the 2020 Bill that was brought here and we had that introduced here, Mr. President. Although the Opposition voted against it, it was supported and it became part of our law.

So I want to know if it is that today we are having a reintroduction of what this Senate voted against in 2020—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—what we argued against, what we did not want and who is going to stand up against it, because that is the question and that is the million-dollar question. Well, it might be a multimillion-dollar question when we start looking at what is taking place right now in the country.

Mr. President, the Order itself has very wide terms. The Act does not apply to the procurement of financing services by the Ministry with responsibility for finance. What is financing services? How do you define financing services? Is it any transaction required to obtain a financial good? That could mean any number of services that the Government wish to procure in the issuance of bonds and the raising of, you know, capital in the international markets, local. There are so many different things that “financing services” can encompass. And in this one piece of paper with just about—I do not know, maybe 20 lines in total, three-quarters of which are, you know, procedural things, you have a whole host of perhaps billions of dollars’ worth of services now being removed from the oversight of the procurement regulator. And that, Mr. President, to me, is something that ought not

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

to be done by order. It ought not to be coming to this Parliament for negative resolution, but, again, due to the—thankfully we have a vigilant Opposition that brings these things to the public domain—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—so the public understands. Because I do not know who reads the *Gazette*, but if the Opposition was not reading the *Gazette* and we did not file this Motion, I do not think that anybody in this country, including the media, because today is the first day, us having filed this Motion, that I have seen something in the media about this exemption. And it is extremely important that people of this country understand how the dollar value of what is now being exempted and removed from oversight of the public procurement regulator.

Mr. President, we are in a situation where net public sector debt-to-GDP, according to the Central Bank, and I am quoting now from their website, they have public sector debt outstanding, and so on, and that is why it is important for us to—and I am making it relevant to the Order before us. When you are exempting financing services, it is because the Government will now be able to raise finance and so on, central government as well as public bodies. So let us deal with central government because that is what these statistics deal with. And when we look at the amount of debt we have in this country—

Sen. Dr. Browne: Mr. President, seriously, Standing Order 46(1), this is not relevant to the Motion.

Sen. Nakhid: What do you mean, of course it is relevant. Talking about the central—

Sen. J. Lutchmedial: This is not relevant? You are exempting—

Hon. Senators: [*Crosstalk*]

Mr. President: All right. So, Senator, I hear what you are trying to say, just again be extremely careful, because dealing with the context that you are creating right now, has a specific debate for that in terms of the debt-to-GDP ratio and, you know, raising the debt ceiling and of all that. If you are tying it in, it needs to be pretty, pretty clear as to how it specifically ties to this.

2.55 p.m.

Sen. J. Lutchmedial: Yes, let me make it abundantly clear, Mr. President, for those who do not understand, because I think it is important for the public to understand. We are in a situation where the raising of finance by the Government, and the incurring of debt by the Government on behalf of the people of Trinidad and Tobago in relation to our GDP continues to go up. When they took office it was 44.1 per cent according to the Central Bank, we are now at somewhere—

Mr. President: Okay. So you are starting off and the connection is thin to begin with. You do not need to go into the depths of explaining how that works. What we are looking for, what I am looking for specifically, is how what is being dealt with in front of us ties to the argument that you are trying to make. So do not go too deeply into how we raise the debt ceiling and all of that, that has a particular process to deal with. What we are dealing with here is annulment of an order that has been put out and tie it to exactly what you are saying.

Sen. J. Lutchmedial: Yes, Mr. President. And the tying and the relevance of it is that as the Government continues to incur debt on behalf of the people of Trinidad and Tobago, it is important that we have oversight.

Hon. Senators: Yes—[*Desk thumping*]

Sen. J. Lutchmedial: It is important that we get value for money. It is important that there is transparency and accountability and this order essentially removes,

and you know, takes out of the oversight of the Office of Procurement Regulator all of the principles of good procurement which are included in this piece of legislation.

I remind—I want to remind the population of what Section 5 has to say about the objectives of this Act. So when you remove an entire broad category of services from this Act in the context of rising public debt that our great—I think that my great grandchildren will still be paying off this debt, it is important for us to understand how much our public debt to GDP has increased since this Government took office because they are removing—

Mr. President: That is what I am talking about. So there is no need to go down or into that kind of depth as it relates to speaking to the debt to GDP ratio. The argument that you just made prior to that line connects to what is before us, but anytime you go a little deeper into that, that is what is taking you outside of the boundaries of relevance. So you have actually made the point that you were making and if you have another one, I invite you to move on to that.

Sen. J. Lutchmedial: Mr. President, I will move on to what the other provisions are of the Order before us. The second part of this provision now exempts public bodies and again, it is important for us to understand, and it is a part of this debate that we must pay attention to about how wide these definitions are. “Public bodies” as defined in the Act are extremely wide. So any public body where financing services are being guaranteed by the Government will now not be subject to all of the provisions of the Public Procurement and Disposal of Public Property Act. So again and because it is important to just say that it is removed from the Act is insufficient, it is insufficient. I know the Government does not want to hear it, but you are removing the ability of someone to institute challenge proceedings,

you are removing the ability of the Office of Procurement Regulation of their own volition or in relation to a complaint to launch an investigation for a breach of the Act.

So for any public body which starts from the Office of the President, the Judiciary, coming down RHAs, all of the statutory authorities, all of the state enterprises down the line, if they are raising finance and incurring debt and there is a Government guarantee they are no longer going to be subject to the requirements under the Public Procurement and Disposal of Public Property Act and that, Mr. President, is something that we say it is unwarranted, it is unjustifiable and it is totally unnecessary.

Hon. Senator: Yes.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: It is totally unnecessary in light of the fact that there are regulations which provide for instances where you may be able to avoid, for example, some of the rigours of public procurement.

Mr. President, time does not permit me to do an entire review of laws around the world but at the end of the day we understand that there will be emergency situations, there will be certain things where you need specific things to be procured and the regulations that were debated here and passed by this Parliament—that were laid and passed in the Parliament made provisions for those things. So why bring this very, very wide exemption?

We are in a position right now where there are state enterprises and statutory authorities where the debt that they have incurred and the debt that they are carrying is enormous. There is an enormous amount of debt being carried. I could tell you, WASA, T&TEC, Caribbean Airlines, all of these state enterprises will

now be in a position to continue if they are getting—and what does a government guarantee mean? It means that they can borrow and the Government is basically issuing whatever you call a letter of comfort or whatever to the commercial bank to say that the Government, the taxpayer of this country will ensure that the debt is repaid. So we as a people are being told the law that provides for transparency and accountability to ensure that you get value for money, to ensure that loans that are obtained by the state enterprises and so on everything is done above board, that an independent authority can go in and ask questions, can go in and examine the records and so on. We are taking away all of that but we are going to guarantee the debt that you have to pay. So that is what the Government has come here today to tell the population, you will have to guarantee the debt you know, but you are not entitled to the protection that this good piece of law has afforded you.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: That is what they have come here to say.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: So all at the end of the day, yes state enterprises performing public functions will need to borrow, but you want to ensure that those borrowings are done in a way that it is, you know, it is efficient and it is transparent, you want to ensure that these are proper decisions being made but you also want to ensure that when Government guarantees are being issued that it is being done that somebody can go in and investigate.

You see, Mr. President, we have a situation here now where you have \$100 million projects being undertaken by state enterprises, and at the end of the day they cannot even fill these, you know, execute these projects properly because houses are falling down. We recently heard about that. I am asking the

Government today, was a Government guarantee given in relation to financing when you have these design bill finance contracts supported by the HDC? Because we know now that there are certain projects being undertaken by the HDC where—

Sen. Dr. Browne: Sir? Mr. President, Standing Order 46(1), this is not relevant to the Motion.

Sen. J. Lutchmedial: Nothing relevant.

Mr. President: Yeah. So again Senator that very final part of the argument just stated, is going a bit too far. The earlier part of it connected but now you are going a little bit too far with it. Continue.

Sen. J. Lutchmedial: Mr. President, if it is that the people of this country are being told that millions of dollars of work are being undertaken by state enterprises, if it is they are being told that utilities, for example, are being increased because of the amount of debt being carried by agencies and so on do we not have a right to have independent oversight over the borrowing by these enterprises?

Hon. Senators: [*Desk thumping*]

Mr. Imbert: Point of Order 46(1). This is not about the items that are being procured, this is about the financing arrangements. It has nothing to do with the works, goods or services that are procured, 46(1).

Mr. President: So there are two things at play here Senator. One is the relevance of the matter, and two because things are so restricted in relation to this Order that is before us, you can indeed, and in fact, run into tedious repetition very quickly. It is literally one clause that you are arguing and have to make an argument on. You are the mover of the Motion so you have a little more leeway than others would, but, like I indicated, make your point and just be mindful, one, of tedious repetition and the boundaries of the debate that is before us. Continue.

3.05 p.m.

Sen. J. Lutchmedial: Mr. President, if we are debating an exemption as it relates to public bodies which are getting government guarantees, is it not important to examine what public bodies are doing? What are they doing and why are we giving them government guarantees? And what are these government guarantees that the taxpayer must pay?

Mr. President: So in the context—

Sen. J. Lutchmedial: What—

Mr. President: As I say, in the context of what is before us and I understand the argument that you are trying to make, the problem is that the Order before us seeks to annul an exemption Order for a very specific thing within a very specific Ministry. So, you have made that argument twice before in relation to the moving this Motion where it connected in terms of why you were saying the argument that you are making. That is why I am saying, you are going to run into tedious repetition now because you are essentially making the same argument over and over again but trying to go deeper by speaking about specific institutions, what they are purchasing which does not apply here. So relevance comes into play and then tedious repetition after that. Continue.

Sen. J. Lutchmedial: Mr. President, I am not arguing with your ruling obviously, but I just wish to say, the relevance of what various agencies are doing is the fact that they will now be able to do it without any oversight from a procurement regulator.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: They will now be able to rack up—

Mr. Imbert: Point of order, Mr. President, 46(1). We are talking about

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

government guaranteed financing, the terms and conditions, the institutions that provide the funding, the procurement process with respect to financing. That is all this is all about.

Mr. President: Okay. So, let me try one more time. Now, Minister of Finance, there is no need to go into a longer explanation, I am sure you will have the opportunity to respond in full to anything said by the mover of the Motion.

Sen. Dr. Gopeesingh: [*Inaudible*]

Mr. President: Sen. Gopeesingh, I am speaking. As to the point of order raised which is 46(1), Senator, this is about the Ministry of Finance and an exemption as it relates to a process that the Ministry of Finance would engage in. You get why it is tight?

Sen. J. Lutchmedial: Yes.

Mr. President: Continue.

Mr. Roberts: Borrowing from small pin.

Sen. J. Lutchmedial: You see, Mr. President, if the Ministry with the responsibility for finance wants to procure financing services, they, and in particular, why does the Ministry of Finance not wish to be subject to oversight by the procurement regulator? That is the question here today.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: Is it because between 2015 and 2022 on about 16 different occasions, one particular non-bank financial institution, closely linked to a Government Minister was selected in order to do certain things in this country?

Hon. Senators: [*Desk thumping*]

Mr. President: Have a seat, Senator. Have a seat.

Sen. Gopeesingh: NCB global.

Mr. President: Now 46(6) comes into play. So what is happening is that several Standing Orders are being traversed as we are trying to move a Motion here today to annul this Order. Senator, be extremely careful. There is not much wiggle room at all and this is a warning to all Senators who wish to enter this debate subsequent to the Motion being moved. Senator, be very, very careful.

Sen. J. Lutchmedial: Guided, Mr. President. But I am saying—

Sen. Roberts: “De small pin”.

Sen. J. Lutchmedial:—the reason why all of this is important is because if the Ministry of Finance is then going to procure financing services on behalf of either central government or any public body and give government guarantees, and that that, you know, the use of particular institutions, financial institutions, which it is in the public domain are closely linked to Members of the Cabinet who recuse themselves and rightly so, then it is important to have oversight by the office of the procurement regulator.

Hon. Senators: [*Desk thumping*]

Mr. President: Have a seat. So, Member, I am finding it very difficult because this is the movement of a Motion that is integral for this whole process to take place today. You cannot impute improper motives. I would invite you now, because I said it is tight, to begin to wrap up.

Sen. J. Lutchmedial: Very well, Mr. President, I will wrap up. I will make the point that it is important for us to annul this Order because at the end of the day it is absolutely unjustifiable for a Ministry to be given free rein to avoid the level of transparency, accountability and oversight of the procurement regulator in the procurement of financing services.

Sen. Nakhid: Yes.

Sen. J. Lutchmedial: And it is even more so when it relates not just to the budget as was introduced and argued for 2020 in this Senate and was changed in the law but to now come and make it as wide as all financing services, not just in relation to central government and the budget but in relation to other public bodies where the financing services are being given a government guarantee.

Mr. President, the people of this country for decades asked, asked for a greater level of oversight. The People's Partnership Government answered that call.

Sen. Nakhid: Correct.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: And in the last eight years, it is an injustice to all those who lobbied for and who took their time, put time, energy and effort into ensuring that we have greater accountability and oversight, it is an injustice to them, it is a slap in the face of the population. It is a government saying, we do not care what you think, we will do whatever we want and we will not answer to you when they continue to whittle away and remove oversight of the procurement regulator as it relates to various types of services. Financing services in particular, how debt is incurred by the central government, what the Ministry of Finance will be doing as it relates to financing for central government and state enterprises and all public bodies, Mr. President, is a matter of relevance. It is a matter of grave concern given the context of our debt and the debt of our state enterprises and the people of this country have a right to feel the comfort that you will have independent oversight for those types of organizations.

Yes, we can name them all coming down the line. They do not want us to talk about it. But at the end of the day when your bills come at the end of the

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

month, you know it is because of public debt being racked up and you want that level of oversight for WASA and T&TEC and CAL and all the other state enterprises so that you know that when they are obtaining financing services, the Ministry of Finance is subject to oversight by a procurement regulator.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: It is unfair. The debt does not come out of the pocket of the Minister of Finance. It does not come out of the pocket to the Members of the Cabinet.

Hon. Senators: [*Crosstalk*]

Sen. J. Lutchmedial: It is the taxpayer who is being burdened.

Sen. Nakhid: Small working-class people.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: It is the taxpayer who does not understand and who they do not want to understand which is why they keep jumping up on Standing Orders, but it is those taxpayers that we are here to speak on their behalf. And on their behalf we say today, Mr. President, this Order must be annulled.

Sen. Nakhid: Yeah.

Sen. J. Lutchmedial: We must annul every order that is brought by this Government—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—to remove oversight of a regulator. We will not stand by and allow the Government to continuously whittle away a watered-down piece of legislation meant to improve the way that we do procurement in this country and the way we spend public moneys. That is a travesty and it is an injustice to the people of this country. We stand against it, Mr. President, and we say that this

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

Motion is a very timely one. It is one that we must deal with today here in this Parliament and we must ensure that we uphold the highest standards of integrity when it comes to the expenditure of taxpayers' money in this country and that is what we are here to argue for today and we look forward to the support of Members of this Senate. I beg to move.

Hon. Senators: [*Desk thumping*]

Mr. President: The Motion requires a seconder. Sen. John.

Sen. Jearlean John: I beg to second the Motion and reserve the right to speak at a later stage.

Mr. President: The Motion has been seconded by Sen. John.

Question proposed.

Mr. President: Minister of Finance.

Hon. Senators: [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. President. Let me deal with one of the first points made by Sen. Lutchmedial immediately.

Hon. Senator: A point?

Hon. C. Imbert: One of the first points. Yes. Question. Sorry, questions asked. But when do you intend to stop trimming this legislation? And when will you bring the law into effect? I became confused upon hearing that question because the law is in effect and has been in effect—

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert:—since April the 26th, 2023. So, I do not understand the point.

Secondly. The Senator said, if the Opposition did not bring this Motion, no one would know. I did not understand that either. Because when an order is subject to negative resolution it must be laid Parliament within a prescribed time

frame, and it was. So when the order is laid in the Parliament, it is on the Parliament's website. It is available for public scrutiny and I can tell you, our media has a habit of going looking for all the orders that are laid in the Parliament. So it is nonsensical to say if the Opposition did not bring this Motion—

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert:—no one would know. We have a very educated media and population in this country. I found it reprehensible, Mr. President, that the hon. Senator would make, for another time, the false allegation that so many Members of the UNC have made, that there is a particular financial institution linked to a Government Minister or “closely linked” was the word used. Rubbish. The brother of a Government Minister works in a financial institution. The operations of that financial institution are not in any way connected to the Government Minister. It is nonsense in the extreme. The Minister has no benefit to get. He has no involvement. He has no role to play. He has no ownership, beneficial or otherwise with respect to that institution. They know that but they just want to damage families because what they do is they attack the relatives of people on this side. I find it most disgusting, Mr. President, and I had to make this statement.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: They always disgust, try to denigrate and destroy families by identifying relatives of the Members of the PNM Government and attacking those family members unjustifiably. Disgusting. But let me move on, Mr. President. Let me move on.

3.20 p.m.

Hon. Senator: [*Inaudible*]

Hon. C. Imbert: You heard that? That is the kind of nastiness we have to put up

Public Procurement & Disposal
of Public Property Order, 2023
Hon. C. Imbert (cont'd)

with here. Anyway, let us move on. Mr. President, you know there was a UNC Minister by the name of Jack Warner, and whenever you said something to Jack Warner that he did not like, it was always factual “eh”, and truthful, but something he did not like, possibly because it was truthful, he said to the person who was making the statement, “You are engaging in histrionics”. That was his pet word. In fact, I read out something the other day that Mr. Warner had said with respect to the Point Fortin Highway and he accused me of histrionics. So I thought, let me see what is the definition of “histrionics”, and it is:

melodramatic behaviour designed to—

Dr. Gopeesingh: Mr. President, 46(1).

Hon. C. Imbert: 46(1)?

Hon. Senators: [*Laughter*]

Dr. Gopeesingh: What does Mr. Jack Warner have to do with this Bill—

Hon. Senators: What? What?

Dr. Gopeesingh: —and the histrionics of the Point Fortin Highway?

Hon. Senators: [*Crosstalk*]

Dr. Gopeesingh: Yeah, I mean, he is objecting to us on this side but yet he is—

Mr. President: Okay Senator, have a seat. All right, so the point of order of relevance has been raised the Minister is responding to the Motion that has been moved by the Senator before. Continue Minister.

Hon. C. Imbert: Thank you very much, and you know Madam Speaker—sorry, Mr. President. I apologize profusely. In fact, I called the Speaker the other day “Mr. Speaker”. I apologize.

Hon. Senators: [*Laughter*]

Hon. C. Imbert: I apologize. Mr. President, we have \$7 million in the annual

budget this year for Adult Literacy—

Hon. Senators: [*Laughter*]

Hon. C. Imbert: —and I will encourage all those who need remedial education to avail themselves of that adult literacy programme.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: My contribution at this point in time is about the word “histrionics” and I simply said that I heard this word being uttered by a former UNC Minister. My contribution was not about him, it was about the word “histrionics”. So, let me go to what histrionics is:

Melodramatic behaviour designed to attract attention.

Hon. C. Imbert: And that sums it up. That sums up the contribution from the hon. Sen. Lutchmedial, melodramatic behaviour designed to attract attention; histrionics. Because, because—because let us go to what this matter is all about. It needs to be explained, because Members opposite, as I said before are experts in gas lighting—

Sen. Dr. Browne: [*Inaudible*]—a sign of mental health.

Hon. C. Imbert:—experts in gas lighting. Create an untruth and then promote that untruth in such a manner that people begin to doubt themselves. So, prior to the Public Procurement and Disposal of Public Property (Exemption) (Financing Services) Order, 2023, which is the subject of this Motion, only debt financing services for the national budget were exempted under section 7(6)(e) of the Public Procurement and Disposal of Public Property Act.

Now debt financing services for the national budget means financing raised by the central government for the purpose of deficit financing, and this is when expenditure is higher than revenue. You borrow and you engage in debt financing.

When we brought that amendment Bill in 2020, the definition of the exemption that we wished to create at the time was simply financing services. It was felt by hon. Senators opposite that we needed to tighten that up. So, in the to-and-fro and the back and forth, and the discussion and the compromise and so on in good faith, a proposal was made by one of the Independents that let us make it deficit financing for the national budget. We were quite amenable and we agreed, and we amended it from financing services to debt financing for the national budget; that is what happened.

However, however, what was not apparent at the time was that it might not be possible to include in that definition debt financing for the national budget, of budget financing such as government-guaranteed debt issued by state enterprises and statutory authorities. Now, government-guaranteed borrowings are loans contracted by these entities, state enterprises and statutory authorities with a government guarantee for the purpose of funding urgent payments for goods and services, on other expenditure for critical needs of the population such as medical equipment and supplies.

3.25 p.m.

Prior to coming into force of the new procurement legislation in April 2023, and I want to repeat, it is in effect—To ask when it will come into effect is really a strange question—all public debt financing including both direct central government and government guaranteed, and these debt financing arrangements were managed exclusively by the Debt Management Division of the Ministry of Finance. The Debt Management Division is mandated by law to report and account to Parliament for the Government of the Republic of Trinidad and Tobago's public debt which includes both central government debt and the

government-guaranteed debt. We in Finance are required to report to Parliament on all public debt which includes this category of debt, and in that way their accountability and transparency.

However, there is another very important reason why for the last—I cannot give a precise time frame, we are talking at least 50 years, maybe 60 years, that the Debt Management Division of the Ministry of Finance has been responsible for managing central government borrowings and government-guaranteed borrowings. There is a very good reason for that, because it is the Ministry of Finance's responsibility to ensure that all metrics, all parameters of our debt portfolio as a country are maintained within internationally acceptable parameters. These would include risk parameters such as exchange rate risk, because one has to look at the currency whether the loan financing is in US dollars, Euros, Yen or in other international currencies, or in Trinidad and Tobago dollars. So we have to look at exchange rate risk, rollover risk, the average time to maturity, the interest cost and fee structure. Let me explain what rollover risk is all about.

For example, we are now looking at a second issue of NIF, a second five-year series, and we were contemplating a rollover provision in a five-year NIF for bond issue, and that is by a state enterprise by the way, that is a government-guaranteed borrowing which the Ministry of Finance will manage, and it came to our attention that if we put a – rollover provision, let us say when the five years come to an end, as recently happened with Series A in NIF one, you can roll over your investment and continue with the same investment at the same interest rate. It came to our attention that was effectively increasing the tenure of the financing and you would have to increase the interest rate. So there are very complex decisions that have to be made with respect to debt financing; whether it is central

government financing or whether it is government-guaranteed financing.

In addition, Mr. President, the previous arrangement where all debt financing, whether for central government, or guaranteed by state enterprises, ensured the management of that by the Ministry of Finance, ensured it was done in accordance with the legislative framework, the guidelines, and the debt maturity profile of the entire portfolio, because you have to understand that when the Government guarantees debt, for example, when we procure pharmaceuticals, which is what we do all the time, because, believe it or not, in this country we are an outlier. I actually have a team here from the World Bank looking at our social safety net, looking at our free medication system, looking at our public assistance programme, looking at disability assistance and so on, and they have already told me, we are an outlier, and let me explain what I mean by that: We spend over \$1 billion on free pharmaceuticals in this country. Every single year; \$1 billion, Mr. Deputy Speaker.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: Mr. Speaker, sorry. Sorry, Mr. President. I am in too many Houses at too many times. So we spend \$1 billion a year on pharmaceuticals and much of it is borrowed money, and you have to look at the maturity profile. For example, when you are doing debt financing you do not want bunching of debt. And I do wish when I come into this Parliament that Members opposite on the Lower Bench do some research, try and understand what we are coming here to discuss, and have a modicum of intellect in your contributions.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: So that what you want to avoid is bunching of debt. So when you look at the tenure, two-year, five-year, 10-year, 15-year, 20-year, you do not

want all you debt bunching in year five because you may find that you have an extraordinary debt servicing responsibility, and with government-guaranteed debt it is customary, if one looks at the *Estimates of Expenditure*, if one goes through Head 18 and Head 19, Ministry of Finance, you will see that we have made provision for debt servicing for all of this government-guaranteed debt. The Ministry of Finance pays it.

We in Finance, we make available the money to the state enterprises and statutory authorities to pay government-guaranteed debt because we accept it as a responsibility of the central government and therefore we have to be very careful with government-guaranteed debt that is being done properly, that you are getting best value for money; it is being done at the best rate; that its tenure is appropriate to avoid bunching of debt; that the terms and conditions are appropriate; that fees being charged by the institutions are appropriate; the fees being charged by the lawyers for preparing the documents which include the trustee, the paying agency agreement, the subscription agreement—and I would expect a lawyer like Sen. Lutchmedial to be aware of documents such as these. We have to make sure that all the drafting of all of these documents, particularly the trust deed, are done properly in the best interest of the people of Trinidad and Tobago.

It is the Ministry of Finance that has responsibility for all of this to make sure that the debt is done in accordance with best practice, and to make available the debt servicing to the state enterprises and the statutory authorities, and to also make sure that these enterprises do not get us into trouble, and I have said all of this to make it clear that public debt management is a highly specialized area. There is no room for amateurs in this. No room for amateurs. And the Ministry of Finance over the last several decades has invested in significant training of its staff

and broad-based reform of our Debt Management Division. In fact, we get technical assistance from many of the multilaterals all the time to assist us.

We had an IMF team here this year taking a look at our debt management and giving us advice on how to manage our debt. We have had the Commonwealth Secretariat come in and done a paper giving us advice on how we could best manage our public debt and so on. We do this every year. So we have very specialized staff, they are trained in debt management, they are experts, I dare to say. They are experts. And the knowledge and expertise with respect to public debt management, I dare say, is only resident within the public sector. It is resident in the Debt Management Division of the Ministry of Finance. It is resident nowhere else. State enterprises do not have the ability, they do not have the resources, I dare say they do not have the funding to procure this level of specialized expertise in debt management. And why would you want them to have that bureaucracy anyway? Why would you want that? And the same applies to the procurement—Office of Procurement Regulation. Why should they go through the process of hiring and training specialized debt management personnel? We account to the Parliament. Anybody could ask any question here. We account to the Parliament on this, not just in the documents that we lay, but we are available to respond to queries on public debt.

Now, Mr. President, when we recognized that the amendment that was made in good faith would exclude government-guaranteed financing we decided that we had to make the adjustment, and in accordance with the amendment made in this place and the other place to the public procurement laws, where the authority and power was taken away from the Minister of Finance to adjust and amend regulations and given to the regulator, because we have to do it with the consent of

the regulator, the approval. So with the first thing we had to do is go and make our case on this matter to the Procurement Regulator, and if the Procurement Regulator had not agreed that we could make this Order we would have never made it. And I can assure you it was quite easy to persuade the Procurement Regulator that it was necessary to make this change. It was obvious. Obvious. It would be obvious to any sensible person.

And while we were doing that, while we were looking at what we should do and making our case to the Procurement Regulator and doing all the various administrative things so we could finally reach the stage where as Minister of Finance I could sign the Order, two government guaranteed borrowings were arranged in accordance with the new legislation by state enterprises, and I can tell you it was total chaos, because they simply did not know what to do, and they simply did not have the expertise, and you simply do not want that, because apart from them not having the expertise, financial institutions had run rings around them, and you would not get best value for money. You certainly would not. It will be experts dealing with amateurs.

And there was one in particular where a very large bond that had been issued some 10 years ago was maturing in September, raised by a state enterprise with a government guarantee under a previous administration, very large sum of money, it was maturing in September, and as September approached and we began to ask the state enterprise whether they thought they could complete the transaction, do the tendering, evaluate the tenders, select suitable financial institutions that had made the best proposal, then go through the process of all those legal drafting of those legal documents—I spoke about the trustee, the paying agency agreement, the subscription agreement, and so on—whether they could do it, and eventually

Public Procurement & Disposal
of Public Property Order, 2023
Hon. C. Imbert (cont'd)

realized they could not, and we were going to default on government debt in the hundreds of millions of dollars.

Now Trinidad and Tobago has the enviable reputation in its history, since 1962, this country has never defaulted on government debt. We are one of the few countries in the world that could say that.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: So you could imagine as Minister of Finance I am facing this, that a state enterprise, gently, because you cannot fault them, they do not have the specialist expertise, they did not know what to do, they could not do it, we had to move in and we had to supplement that, we had to solve that problem with cash that had already been allocated and appropriated for another purpose.

We did it. We had to do it, and we saved the day. So that the debt was paid and there was no default, and therefore we maintained our first class unbroken record of never defaulting on government debt. And that is because the Trinidad and Tobago Government has never defaulted on debt, whether guaranteed debt or central government debt, this is why we can borrow fairly easily both locally and internationally because our reputation is good. So, we were of the view that there was going to be a high probability of continuing compromising the management debt, and the result would have been, as I said, chaos and catastrophe.

The other problem that we have going forward, not just refinancing of debt or dealing with debt that is maturing and has to be paid immediately, was going forward with the financing of debt for critical goods and services for the public good. Again, because of the lack of expertise outside there it would take so long, where the Ministry of Finance we have expertise in the Ministry of Finance where we can from start to finish put out an RFP, receive tenders, evaluate tenders, make

a decision, select a financial institution, select lawyers to do the legal documentation, complete that process, receive the funds and disburse.

We can do that in two to three weeks now, Mr. President, and follow all international standards for accountability and transparency and integrity. All of it. We can do it in three weeks. State enterprises from the experience we saw that financing arrangement that I spoke about, they were at it for nine months and could not get it right. So, it is nice to make these noisy contributions that were made by the hon. Senator. It is nice to make these noisy contributions—

Hon. Senator: Histrionics.

Hon. C. Imbert: Yes, histrionics. But it is clear that the hidden agenda or not so hidden agenda is to grind the country to a halt.

And I just want to say that we have not hidden this. On page 28 of the Budget Statement 2024—I asked for a copy—I said this:

“...I wish to make it clear that whenever necessary, we will introduce in Parliament for debate appropriate improvement amendments to the procurement legislation as unforeseen difficulties arise to ensure that the country’s development programme is not unduly impeded.”

3.40 p.m.

You see, the former Government, present Opposition, they had 28 seats in the House of Representatives—28. They could have changed the Constitution if they wanted. They could have passed anything with a three-fifths majority because a three-fifths majority is only 26 seats. They had 28. But in a pretence in 2010, they introduced what they call legislative amendments for public procurement and they dragged that for five years, waited until the 2020 election, making all sorts of flimsy excuses as to why they would not enact public procurement legislation.

Blamed the Opposition who had nothing to do with it because, as I said, they had 28 votes, they could have passed what they wanted. Dragged it for five years, pretended that they were interested in public procurement, then passed the Bill and did not proclaim it, Mr. President. Did not proclaim it because they knew that what they had spent five years working on was defective.

So from time to time we will be in this Parliament correcting the serious deficiencies in the public procurement legislation, however, I want to reiterate that the public procurement Act is in effect. The Office of Procurement Regulation is functioning. They are dealing with complaints. They are dealing with challenges. All of that is happening as we speak, Mr. President. And in fact, I want to congratulate the Office of Procurement Regulation for the good work that they are doing—

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert:—and everything will be transparent.

As I said, it is the responsibility of the Ministry of Finance and the Minister of Finance to report to the Parliament on all government financing, whether it is guaranteed financing or whether it is central government financing, and we report in different ways. We report to joint select committees, we report in the budget documents and we report on the floor when matters are posed to us, and, therefore, I reject this Motion. This Motion is frivolous, it is vexatious, it is wasteful of parliamentary time. Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Gopeesingh.

Hon. Senators: [*Desk thumping*]

Sen. Dr. Tim Gopeesingh: Thank you very much, Mr. President. It is really a

distinct honour and a privilege to be here in this Upper Chamber at the behest of the Leader of the Opposition, and I thank her for giving me the opportunity to be here today—well, in the absence of Sen. Mark—to speak a bit on this Order of the Minister of Finance which he put as negative resolution to Parliament. So the alert Opposition, the alert Leader of the Opposition and her team, and the alert Senate and the Lower House found out that this Order was there to be negated and to go into effect immediately. We have 40 days for negative resolution to be debated if we see it. As the Minister of Finance says, that these negative resolutions passed through, they are all on the website. But if you do not have an alert Opposition and an alert team to look introspectively, and deeply, and to see what is available to be debated, we would miss it. This whole aspect of the Order that the Minister of Finance has brought forward by negative resolution we picked it up, and this is why we are here before the Senate today and we are asking the support of the Independent Bench to annul this Order of the Minister of Finance.

Hon. Senator: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: The Order is made by the Minister under section 7(6)(e) of the Public Procurement and Disposal of Public Property Act 2015, with the agreement of the office. Mr. President, I want to come back to that, and subject to negative resolution of Parliament, I will speak a bit on that. The Public Procurement and Disposal of Public Property (Exemption) (Financing Services) Order, 2023, is exemption of financing services and I will speak about it, and this Order maybe cited as the Public Procurement and Disposal of Public Property (Exemption) (Financing Services) Order, 2023.

So the Minister of Finance had been seeking by negative resolution to exempt all financing services of the country by this Order, Mr. President. In this

Order, the Act means the Public Procurement and Disposal of Public Property Act 2015, and he wants to indicate the Act does not apply to the procurement of financing services by the Ministry with responsibility for Finance, which means the Minister of Finance and his Ministry. So he indicates that the Act must not apply to the procurement of financing services for central government, Mr. President, a public body where the financing services are to be guaranteed by the Government. Mr. President, what are the financing services? I looked in the Act No. 1 of 2015 and I cannot find a definition of financing services. I looked critically. All I saw was:

“‘services’ means any objects of procurement or disposal other than goods and works and includes professional, non-professional and commercial services as well as goods and works which are incidental to, but not exceeding, the value of those services;”

So I searched in the preamble to the Bill for definition and interpretation what “financing services” mean. I could not find it. It is not there. So when the Minister comes with an Order and speaks of the Act does apply to the procurement of financing services, he is being disingenuous because there is nothing in the public procurement Act which speaks about financing services. So I had to speak to some of my learned friends who have been partners of Ernst & Young, and PriceWaterhouse, senior partners in finance, and I asked them what does “financing services” mean. The Minister of Finance is guilty of being open-ended in terms when he described these two words, “financing services” because it incorporates everything. It could mean the incorporation of everything.

So the Minister of Finance wants every financial issue to be exempt from the procurement regulator, everything that is financial. And this is what my friend told

me. It could be, and we have the hon. Sen. Mrs. West—

Sen. West: Ms. West.

Sen. Dr. T. Gopeesingh:—Ms. West, who has been with a learned team of financial management team and what you call like Ernst & Young, and PricewaterhouseCoopers and so on, and she will understand—the hon Senator will understand. The Government financing services may include grants, contributions and other financial assets, loan and banks borrowings of various types, loan guarantees, bonds and other financing instruments—the hon Minister wants to come and disturb the Parliament and tell the Parliament that “financing services” only means “debt financing services”. Debt financing is just one aspect of financing services—bonds and other financing instruments, equity, capital investments, bill finance projects which the Government has done recently with a bold project with the Ministry of Health around the savannah, tax credits and deductions, tax policy, subsidies and benefits.

So, Mr. President, these are just some examples which is why the hon Minister must define the precise nature of financing services they are referring to. It cannot be open-ended. So therefore, we take great objection to the Minister of Finance putting in the Order, for exemption of financing services. So is he exempting all of these possible areas of finance? So then what is the use of the procurement Act? It is useless. It is meaningless when the Minister of Finance is seeking to remove all of these, exempt them from the procurement legislation. This is pathetic and the country will not accept that. Everyone in this country had been asking for this procurement legislation for a long time, and, Mr. President, I am astounded to hear the Minister of Finance speak about the People’s Partnership Government delaying the onset of the procurement legislation.

Mr. President, the Prime Minister then, Mrs. Kamla Persad-Bissessar, one of her early acts, one of her early Cabinet Notes was the introduction of this procurement legislation. We brought that early to Parliament—I am responding to the hon. Minister of Finance—and one of the early areas was a joint select committee of Parliament in the first year of the People's Partnership administration. In the first year a joint select committee was formed. The hon. Prime Minister asked me to be the first chairman on that joint select committee which included the present Minister of Finance and the present Prime Minister, and after the first year when we began to work and we brought down procurement regulator from Jamaica, they began to object. This PNM administration never wanted a procurement regulator.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: They never wanted—and this is why they are coming now to ask for exemption, upon exemption, upon exemption, and making the plea for all financial transactions and management to be in the Ministry of Finance. Who could trust people in the Ministry of Finance is important, but you must have an oversight of the Ministry of Finance and that oversight is the procurement regulator.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: So what is it the people—you could have a various amount of Ministries which we have about 20-something. Everyone manages their fund and so on, but some people make mistakes and, therefore, this is the role of the procurement regulator to look into and investigate if there are possible areas of incompetence or mistakes that are being made.

So when the Minister says that his Ministry has the people, and their

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Dr. Gopeesingh (cont'd)

competence, and is one of the best and so on, I would not dispute that. But would you just accept that and say well, because you have the best you do not want the procurement Act, you do not want the procurement regulators? And he tries to make a case that the procurement regulator does not have the expertise inside there.

3.55 p.m.

But they can summon expertise, they can pay for some expertise for a period of time to ascertain and determine whether a transaction, or a financial transaction, or a financial procurement is in line with accountability and transparency, and integrity and value for money. That is why the Procurement Act was brought into place. So the Minister of Finance—

Hon. Senator: *[Interruption]*

Sen. Roberts: Who has no expertise.

Sen. Dr. T. Gopeesingh: —has no expertise in finance, he is learning, he is learning on the job. For eight years he is learning—

Hon. Senator: *[Interruption]*.

Sen. Roberts: Learning on the job.

Sen. Dr. T. Gopeesingh: I think he is still way below—

Hon. Senator: *[Interruption]*

Sen. Roberts: Failing on the job.

Sen. Dr. T. Gopeesingh: He wanted the Ministry of Energy and Energy Industries, because he did his masters in energy. He was disappointed he did not get Ministry of Energy and Energy Industries.

Sen. Roberts: He was an engineer and Grenada stadium “fall” down too.

Sen. Dr. T. Gopeesingh: So the Minister of Finance and the now Prime Minister,

for two years, did not attend any more procurement—

Sen. Roberts: Shame.

Sen. Dr. T. Gopeesingh:—meetings for the Joint Select Committee of Parliament. It took the People’s Partnership Government to appeal to the population. “Tell your Members of Parliament, the Leader of the Opposition then Mr. Rowley and the Member of Parliament for Diego Martin, to attend the meetings.” All the JCC, the Joint Consultative Council and all the people responsible for day-to-day financing with the Government and so on, responsible for ensuring that there is transparency, and accountability, and probity and value for money, they began to ask for them to the go back to the meeting. And they came back after two years.

So that is the third year in the People’s Partnership Government. And we had to work, we brought down a regulator from Jamaica, we brought down some international expertise, we were guided by what they said and it finally came to an end in 2015, when we brought for debate in Parliament the procurement Act No 1 of 2015, which was passed in 2015.

So you can say in three years the People’s Partnership Government was able to bring this procurement legislation in 2015. But there were regulations to be made, and it was left to this Government that has been in power from since 2015 to make their regulations. And eight years, Mr. President, eight years between 2015 and 2023—it took them eight years to bring this thing into fruition. The Procurement Regulator who was appointed, Mr. Lalchan, was disappointed he was sitting there doing nothing for eight years.

Sen. Dr. Browne: Mr. President, Standing Order 46 (1) the Member is all over the place and is not relevant to the Motion before us.

Mr. President: Okay, so as much as Member you are responding to comments

that have gone before, just be mindful of how much time you take up in doing that. Continue.

Sen. Dr. T. Gopeesingh: Thank you very much, Mr. President. I am to always be guided by your brilliance and I have always congratulated you on your—and I take guidance from you. But I will move on. So it took them eight years to bring this and it was assented to or proclaimed sometime in 2023. That is this year? Mr. President, so financial services, vague, and he wants to bring everything under the ambit of financial services to exempt, and we say no.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: And we say that is why it must be annulled—

Sen. Roberts: No Imbert! No!

Sen. Dr. T. Gopeesingh: —and subject to negative resolution of Parliament. We spoke about that. My colleague spoke about it. It is subterfuge. They want negative resolution for everything. When we were in government and so on and people asked in debates, they want positive resolution, they would grant them that. Because positive resolution means—when they were in Opposition, and they asked for positive resolution, it means it has to come to Parliament for debate before it is enacted.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: But negative resolution once it is put on the Order Paper it comes into effect immediately. So all the things that they want to do once they put it on the Order Paper it is effective already. So that is why we have always been asking for positive resolution, but they have the majority, so they got the procurement act with change to negative resolution.

They came with one of these Acts during the period 2015, I think it was. I

will speak about that shortly.

4.00 p.m.

The other issue is the central government. They said they want the procurement for financing services by the Ministry with responsibility for finance for central government. But central government means every part of, every body of Trinidad and Tobago governance that uses public money, whether it is central, whether it is state enterprises, corporate entities, state bodies. Because there is no definition of “central government” that we could see in the Act. Nothing there as well. So where did these words come from? Made up. So no definition of financial services, no definition of central government, you have to imagine what is central government and a public body where the financing services are to be guaranteed by the Government. Well, thank the Lord that the public body is defined in the Act and the:

“‘public body’ means—

(a) the Office of the President;”

So the Office of the President comes under exemption from the Procurement Act.

“(c) the Judiciary;

(d) a Ministry or a department or division of a Ministry;

(e) the Tobago House of Assembly, or a division of the Tobago House of Assembly;

(f) a Municipal Corporation established under the Municipal Corporations Act;

(g) a Regional Health Authority established under the Regional Health Authorities Act;

(h) a statutory body, responsibility for which is assigned to a Minister of

Government;

- (i) a State-controlled enterprise;
- (j) a Service Commission established under the Constitution or other written law...
- (k) a body corporate or unincorporated entity..."

Sen. Dr. Browne: I do not mean to interrupt the Member unnecessarily but 46(1). Why is he reading out this list? How is it connected to this Motion?

Hon. Senators: *[Interruption]*

Mr. President: Member, Members.

Sen. Dr. T. Gopeesingh: *[Inaudible]*

Mr. President: So Sen. Gopeesingh, please allow me to rule. What the Member is doing is defining public body as it relates to the Order that is in front of us. But Member, as much you are doing that, you do not need to read out all the public bodies in Trinidad and Tobago. I think the point has been properly put. Continue.

Sen. Dr. T. Gopeesingh: Thank you for assisting me, Mr. President, but “public bodies” is so wide, money is being spent on all of them.

Sen. Roberts: Correct.

Sen. Dr. T. Gopeesingh: And therefore, if you want to exempt the procurement of financial services for public bodies, it means you are exempting all the finance for everything in Trinidad that spends public money. So that is free expenditure for the—free for all, free for the Minister of Finance, free for the Government. “We spend money, doh ask for it, doh ask for accountability, doh ask for the Procurement Act” and the Procurement Regulator to investigate that.

So, Mr. President, the last area is the question of agreement. The Minister of Finance spoke about—let me see if I can get his words here, about agreement. He

said he got the agreement of the Procurement Regulator. Where is that agreement? What type of agreement? Who has read that agreement? The Minister could come and say anything here today. He got the agreement of the regulator and the regulator was nice and kind and so on. I mean, I am not casting any aspersions on the office of the Regulator but I understand that was his former Permanent Secretary so I do not know. But where he got this agreement?

And Mr. President, if somebody has an agreement in law, I am not an attorney but any—the Attorney General will tell you that an agreement—

Sen. Roberts: No, he is not an attorney—[*Inaudible*]

Sen. Dr. T. Gopeesingh: I know him a long time. The hon. Attorney General will tell you that an agreement is either written or oral/verbal, and if the Minister says that the procurement regulator agreed for the exemption of financial services for the central government and public bodies, where is that agreement? So that agreement is not forthcoming so here it is we are left as a Parliament in the Upper Chamber of the House, taken for a ride.

Sen. Roberts: “It with the missing file”, same place.

Sen. Dr. T. Gopeesingh: Thank you. Sen. Roberts said it will be a missing file—

Hon. Senator: In the AG’s office.

Sen. Dr. T. Gopeesingh:—of the AG’s office. So these are some of the issues that I wanted to pick up on the Order. He said the Act does not apply for the procurement of financing services and so on and this is where we depart from the Minister of Finance and from the Government that this must be annulled because the people of Trinidad and Tobago will not allow their money to be spent willy-nilly and just take for granted what the Minister of Finance is saying that in our Ministry of Finance, we have expertise, we have the best and “we employ the best”

and they are the best trained. Well, that is for him to think because he is so weak in his finance, anything that they tell him will be very good for him.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: But if you ask financial people to investigate the competence within the Ministry of Finance, they might not find it. But the procurement regulator under the procurement Act can get the best people from PricewaterhouseCoopers, Ernst & Young, one of these agencies to investigate it at minimal cost.

So, Mr. President, this Government came with a number of amendments to the procurement Act. My colleague Sen. Lutchmedial—and let me congratulate Sen. Lutchmedial for her tremendous performance.

Hon. Senators: [*Desk thumping*]

Sen. Dr. T. Gopeesingh: And her work and the areas of expertise that she was able to bring forward even being an attorney, into a financial area where she brought the relevant points to the forefront and showed where we must annul this Order that has been brought by the Minister. Sincere congratulations to my colleague Sen. Lutchmedial for withstanding the interruptions from the hon. Minister of Finance.

So in 2017, they came with an amendment to a piece of legislation, then they came again in 2020, another amendment and then Public Procurement and Disposal of Public Property (Exemption) (Foreign Visits) Order, 2023. Legal Notice No. 206 of 2023, another exemption, and my colleague spoke about it so I would not want to go into it. That is for legal services by a public body, medical services, audited and financial statements and so on, for all of those to be exempted.

And, permit me, Mr. President, I just wanted to—I will come to it shortly, I will come back to it. So the 2020 Bill, the Act introduced a new regime for public procurement and it said what the procurement Act is about. It repealed the Central Tenders Board Act as well, Chap. 71:91.

Sen. Dr. Browne: Mr. President, Standing Order 53(1)(b), the Member has fallen into definite repetition.

Mr. President: Essentially Member, what it is, is tedious repetition of your own arguments. Of course, what is before us, like I said, does not have much meat to it. You have made quite a number of points in your contribution thus far, I would invite you, if you have anything new, to bring that forward now.

Sen. Dr. T. Gopeesingh: Yeah, sure. So, Mr. President, I will move away from the various Acts that they brought in 2020 and in 2023. But I want to make a point here. I want to quote from the *Newsday* article of Thursday, 20 July by Sean Douglas and what he wrote about the—

Mr. President: What is the title of the article?

Sen. Dr. T. Gopeesingh: “Kamla: How many more exemptions from procurement will Government seek?” And the article goes on to say:

“Opposition Leader Kamla Persad-Bissessar with protesters outside Parliament before the start of a sitting of the House of Representatives on Wednesday.

Opposition Leader Kamla Persad-Bissessar asked aloud on Wednesday how many more exemptions from procurement legislation would the Government seek, as she spoke in the House of Representatives on the Public Procurement and Disposal of Public Property (Amendment and Validation) Bill, 2023.”

And the article said:

“...which excluded from the act the items legal services, financial services, accounting and auditing services, medical services or...”

Sen. Dr. Browne: Mr. President, once again, Standing Order 53(1)(b).

Mr. President: So, Senator, we have heard that argument before coming from Sen. Lutchmedial in the moving of the Motion and from yourself earlier on. So like I said, what we are looking for is something new. You have made quite a number of points in relation to the Order and again, what we are looking for is that which is new so that we can continue. Continue.

Sen. Dr. T. Gopeesingh: Thank you. Thank you, Mr. President. I have what you are looking for, something new. I have with me a copy of the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2022, Volume I, Accounts of the Treasury and Accounts of Receivers of Revenue of Ministries and Departments, Financial Year 2022, Accounts of the Treasury Division.

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

And this is the Auditor General's Report, Mr. Vice-President, welcome to the Chair. Accounts of the Treasury, Volume I, Part A, and Mr. Vice-President, “Statement of Loans Serviced Under Head 18 Ministry of Finance as at September 30, 2022”. The same Ministry of Finance that the Minister of Finance is responsible for and says that he has the best people inside there. You know where the country is now, Mr. Vice-President? A summary of central government as at September 30, 2022, owes \$144 billion.

Hon. Senator: What?

Sen. Dr. T. Gopeesingh: This country owes \$144 billion and the Minister of Finance is coming today to ask for exemption from further expenditure.

Hon. Senator: Shame.

Sen. Dr. T. Gopeesingh: So where we are going to go? To \$200 billion? There is it, Mr. Vice-President, \$144 billion; “Domestic Loans”, \$66 billion; “External Loans”, \$28 billion; “Loans serviced under Head 18”, \$3 billion; \$98 billion for domestic loan, external loan, loan serviced under Head 18. Same Ministry of Finance that he has the best expertise for. Then “Other, Balances on BOLT Projects”, \$232 million. A total of \$99 million for central government. The same central government that he wants to exempt from the procurement Act. Mr. Vice-President, \$99 billion owed from the central government. And here is the other part, Mr. Vice-President: “Contingency Liabilities as at September 30, 2022, Loans and Credits Guaranteed by the State”, \$14.9 billion; “Letters of Comfort”, \$16.3; “Promissory Notes”, \$5.3; Open Market Operations re: Treasury Bill”, \$8.4; a total of \$144 billion that the country is owing and the local loans are about \$66 billion and the external loans, \$28 billion, and loans serviced under Head 18, the same Ministry of Finance.

Sen. Roberts: “Buh we have to trust him.”

Sen. Dr. T. Gopeesingh: And we have to trust that Ministry and trust the Minister of Finance and so that the procurement regulator must not get involved inside here at all. I say it openly, I hope that my independent Senators colleagues are listening to where the country is now under this administration and they want exemption, upon exemption, upon exemption, from the procurement Act and from the procurement regulator. Mr. Vice-President, \$144 billion is being owed by this country—and borrowings. So he wants exemption from borrowings. “Borrowings between 2018 and 2022, \$54 billion in borrowings.

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Dr. Gopeesingh (cont'd)

4.15 p.m.

Sen. Dr. Browne: Mr. Vice-President, Standing Order 53(1)(b). It is the same point he is making over and over.

Hon. Senators: *[Interruption]*

Mr. Vice-President: Senator, you are now adding some meat to your previous claims, okay. Proceed but do not reiterate the past, move on.

Sen. Dr. T. Gopeesingh: Thank you, Mr. Vice-President.

Hon. Senators: *[Desk thumping]*

Sen. Roberts: I do not know “what wrong” with this lollipop.

Sen. Dr. T. Gopeesingh: He comes from honour you know, he comes from an honourable father. You are honourable as well.

Hon. Senator: *[Laughter]*

Sen. Dr. Browne: Mr. Vice-President, Standing Order—

Hon. Senator: *[Interruption]* Lollipop one—

Mr. Vice-President: Sen. Gopeesingh, you have about eight minutes remaining in your contribution, use it wisely.

Sen. Dr. T. Gopeesingh: Thank you, Mr. Vice-President. So, I have it here, statements of public debt as at September 30th, analysis of the public debts, summary of public debts. So public debt, \$98 billion; local loans, 66; external loans, 28, and borrowings—this Government is very guilty of—they are borrowing instruments they use bonds which are long term, treasury notes which are medium term, and treasury bills which are short term with maturities of 91 days, 182 and 365. Any Government will want to borrow and have treasury notes and so on. But the—and it tells you about the domestic debt by types of instruments, the Government development loans is about \$54 billion, the treasury bills is about \$6

billion, others \$5 billion. So, it gives you an explanation of where we are. And so, I will move away from the debts and so on. External debt, \$28 billion, and we owing the IADB \$4.4 billion; notes and bonds, \$14 billion; Japanese banks, Chinese banks, we owe almost everybody. External debt outstanding by contracting currently, most of it is in U.S. dollars; \$27,000,913.

Sen. Lyder: Adding to our foreign exchange.

Sen. Dr. T. Gopeesingh: Yes, adding to our foreign exchange deficit. EURO, we owe, RNB and WUN. Letters of comfort Mr. Vice-President—

Mr. Vice-President: Senator, we understand what you are saying, can you get to some level of conclusion or expansion please?

Sen. Dr. T. Gopeesingh: Thank you, I am coming. Well, I am almost at the end of my contribution. Letters of comfort \$16 billion, loans of credit, guaranteed by the States, \$14 billion.

So you can understand when you give the autonomy to the Ministry of Finance to do its work, borrowing \$28 billion in four years, and then—so from public debts. And then you have statement of the public debt, who owe—TIDCO owing, NCB Global owing in part of it—

Mr. Vice-President: Senator, Senator, you have about just under five minutes remaining.

Sen. Dr. T. Gopeesingh: Thank you for the guidance. Evolving Technologies Limited, they owe millions of dollars; Caribbean Airlines, \$1.7 billion.

Mr. Vice-President: Senator, with all due respect, you are repeating. Calling out new information, however, the point you are making is borrowing. We have gotten this far, can you please move on to another point, or move on to your conclusion in the debate please, as it pertains to the very small window that we

have here in the Motion at hand.

Sen. Dr. T. Gopeesingh: In conclusion on that issue, all these State enterprises that owe \$1.3 billion like WASA, and HDC, \$3.4 billion and so on, and Regional Health Authorities another \$500 million, and—

Hon. Senators: [*Crosstalk*]

Mr. Vice-President: Senator, Senator, Senator, on the Opposition Bench as well. The Minister in his contribution alluded to the need to borrow, it is an established fact. You are reiterating his facts, can you please conclude?

Sen. Dr. T. Gopeesingh: I am saying he needs to borrow, but he wants to borrow without the process of the procurement regulator—

Hon. Senators: [*Interruption and continuous desk thumping*]

Sen. Dr. T. Gopeesingh: So I wonder why he is afraid to have to account to the procurement regulator and the Procurement Act. So why is he really afraid? So, we owe a \$140 something billion and you want to spend another 30 or 40. We owe 50 something billion—borrowed 50-something billion in four years.

So, Mr. Vice-President, in closing, the evidence abounds to show that the Government and state enterprises have in the past, entered into financial transactions that were inappropriate, and too costly. Which should have been avoided if financial professionals had reviewed the financial structures and pricing prior to concluding the contracts. And this is where the procurement regulator and his team would come in to be able to investigate, and bring correctly to the forefront about the expenditures of which are being contemplated by state enterprises.

So their numerous VAT contracts have cost the taxpayers substantial sums and the results could have been due to a lack of competence within the Ministry of

Finance, and/or the state enterprises. Optimum decisions could be very costly and the independent reviews by dedicated professionals in the procurement unit is absolutely necessary to ensure the best contracts are obtained, and to shield the contracts from any iota of corruption. We want transparency, accountability and value for money in this country with every financial transaction. So, I support my colleague, Sen. Wade Mark, and raised by Sen. Jayanti Lutchmedial for a total annulment of this Order by the Minister of Finance asking for exemption of procurement of the financial services for central government, and for public bodies. Well, we say this must be annulled, and we are prepared to go down the road to make sure it is annulled. Thank you very much.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Senator Maharaj.

Hon. Senator: [*Desk thumping*]

Sen. Sunity Maharaj: Thank you the very much, Mr. Vice-President. I am grateful to the Minister of Finance for giving the context for this in response to this Motion, because trying to comment on this within the letter of the Motion itself is like trying to comment on Israel's war on Gaza—without context. I am also grateful to him for making the case as to why exemptions should have been subject to affirmative resolution. Because one cannot take issue with the commentary on that request for the exemption, and make the point about trying to make mischief in the public, if you do not come here and explain to the public why you require an exemption.

Hon. Senators: [*Desk thumping*]

Sen. S. Maharaj: This is in the interest of good governance, accountability, transparency, and it should always have been that way. This is a piece of

legislation passed by a special majority and requires a higher standard.

Hon. Senators: [*Desk thumping*]

Sen. S. Maharaj: Having said that, what I heard from the Minister as an explanation for seeking this exemption is that the public service and state enterprises, do not have the capacity to deal with these issues and in this particular case, the Ministry of Finance and the debt management unit had to run in there and save the day, literally—save the day in a particular case involving the state enterprise. This is not very different from statements made in seeking other exemptions about the difficulty of implementing this law. But I want to say that the fault is not in the act. Let me rephrase Shakespeare here, the fault is not in the act, the fault is in ourselves. This is not an issue—the failure of people and institutions to come to terms with the requirements of this Act, is carrying us in the wrong direction over and over of creating exemptions as opposed to coming to terms with the requirements. We have clearly wasted—

Hon. Senators: [*Desk thumping*]

Sen. S. Maharaj:—the Government and its agencies have clearly wasted too much time when they should have been preparing for this. How can we now say that a state enterprise has come to a problem of having to place a massive Order, or pay some debt—default on debt? Where would—this law is not a new law.

4.25 p.m.

There was supposed to be training. We were supposed to have plugged all the deficiencies within the public sector and prepared people. We are hearing over and over in previous contributions elsewhere that it came to the point where they could not even buy toilet paper. Well, why? Because the work—and let me remind people that the procurement regulator, over in the period 2020, '21, '22, he

was holding all of these workshops inviting people to get all their agents and agencies and suppliers on the system.

Some units here, and I am told that the Parliament is one, did the work. They brought in their suppliers. They got them au courant with the requirements of the law and they put them on the system so they could have had a seamless transition. We have not had any problems getting coffee or whatever it is we need to get here, all the flavours, because they came to terms with the fact that this law was going to come into effect and there was enough understanding to know that if you did not get your ducks in a row, you are going to have problems. And we did not need to have that unit rushing like a knight in shining armour to save a state enterprise that is at the level of taking on massive debt.

So we have a problem that is not in the Act, and if we do not understand why we are running into these problems, we will have to keep exempting and exempting, because we are going to come from one to the other to the other. The public is already completely disappointed that a piece of legislation for which they have begged for years, some piece of legislation, to put a curb on what most people will call corruption—I do not call all of it corruption myself—I think expediency. They have already seen it hollowed out, and hollowed out, and I cannot tell anybody right now that it is not going to come here, and we need to stop kicking that particular can down the road and come to terms.

If I were to suggest anything, I would gladly give the Government a year, stop the Act, come to terms it is going to happen, put your house in order, and then let us resume it. But, obviously, that is not on the cards. The point is, the Government is not prepared. Its agencies are not prepared and, therefore, we are doing all of these shortcuts. I am so sorry about this, because what this piece of

legislation was meant to be, it was meant to be grounded to change a culture, not just an act of corruption, but a culture of corruption that came out of expediency that we did not have systems in place. We understand why.

I do not think it is the fault of any particular Government. Let us remember we were a Crown Colony, the first Crown Colony where the total source of power was in the body of the Governor, total power. We are still living that reality today, where you have centralized power, and we are trying to get past it. When you have a system like that, what you have is fertile ground for the one person who has the power to always be able to cut corners for you. So we know but we are a society where contacts are the preferred way of getting. I mean, when your child is sick and needs surgery, would you not do anything to bump that child up the system? You look for somebody you know in the hospital. When you cannot get—even people who are going—I do not know that corrupt people necessarily go and buy their license as it were, but they try to figure out how we can get ahead.

And so, we have a piece of legislation that deserves the highest level of support to navigate with it in the hope that with time we can come to an understanding that this is how Governments are accountable, what the value of transparency is. Because we need to get past and get to a place where we have a society that is based on a meritocracy, and this piece of legislation was critical to beginning to change that culture. For us to now cut corners and anything that looks difficult, let us have an exemption, I think we are going to have to start back from scratch one of these days. We cannot afford that.

And so, I just want to ask the Government, one, I think the Government should reconsider that by negative resolution, because it does itself a disservice when it takes on the power in a matter involving procurement and millions of

dollars that it already has like a preapproved stamp of approval to go ahead. It does not make sense. You help yourself if you were to come to this Parliament every time and explain to the people of the country why you are doing what you are doing. If the Opposition had missed this, somebody down the road would have picked it up eventually and it would have come back to bite you as we say.

So I am going to just rest my case here and say that I will not support this. I will support, sorry. I will not support the exemption because I think we are focusing in the wrong direction in doing that and it leaves the door open if we do not deal with the public sector's refusal and truculence and inability to come to terms, even with the limited Procurement Act that we have, then we are going to come here over and over. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Dillon-Remy.

Sen. Dr. Maria Dillon-Remy: Thank you, Mr. Vice-President, for allowing me to participate in this debate. I would probably just say ditto to Sen. Maharaj's comments and have a seat. But I think I have a responsibility to say a little more, because I was a part of the 2020 debate and I supported the Government in their—after the Government made the modifications to the Bill, and I thought that enough was done at that point in time. I would reiterate, in the 2020 Bill that was brought, financial services was initially put as one of the areas for exemption. And at the end of the debate, just as the Minister said, the Finance Minister said, after the committee stage, changes were made and that resulted in the changes that said debt financing services for the national budget, rather than general financial services.

I was also a part of what happened here earlier this year, when we—The other thing that happened in 2020 was that it was moved from negative resolution

to affirmative resolution in that debate, and that the Act, therefore, of 2020 said positive to affirmative resolution of the Parliament.

In July this year, we sat in this Senate until about 2.30 a.m., debating from 10.00 a.m. one day to 2.30 a.m. the next day, and that was changed. The discussion at that point in time, and as the Minister said again, the Minister had to now get the concurrence or get the approval of the procurement—of the office before bringing any exemptions, and that was done this time, according to what this particular Legal Notice said; it is with the concurrence of the office, so that aspect was fulfilled. But we are bringing back what we had in 2020, financial services. And, again, I agree with Sen. Gopeesingh, we do not have a definition in the Act or anywhere as to what financial services mean, and it is, indeed, very broad.

So we brought that back, and, yes, the Minister is saying that many things could not happen with the Bill, but I agree with Sen. Maharaj, that every step of the way it seems as though we are just putting obstacles in the way to this Act being carried out in the way that it is supposed to be. Every time we meet an obstacle, instead of going back to the principles, we are moving the thing from where it initially was supposed to be with the Office of the Procurement Regulation and bringing it back to the Minister of Finance.

I remember again, earlier this year, the Minister did say that he would have to come back from time to time, but not for the same things, Mr. Vice-President, not for the same things that he would have discussed before and agreed that that would not be a part of the exemption. And it is really, as far as I am concerned, much too wide for my liking.

But the Minister also—the fact that the Minister is saying that it all lies

within the Ministry, all the technical competence and stuff like that. Again, when will that change? Are we going to just whittle, whittle, whittle down as far as the Office of the Procurement Regulation is concerned? And I would like to ask the Minister also one question. If it is that the Minister of Finance, and, I mean, it is the end of my fifth year here now, I am always hearing about what this Opposition did when they were in Government and how they did this, and did that, and made so many—they did so many things that were not financially right. You are going to put something like this and leave it, so that if you are not in Government it becomes the purview of another Minister of Finance to now be responsible for this, when you say that in principle you accept the independence of the Office of the Procurement Regulation. It is not adding up, Mr. Vice-President.

So I would say I still—I think people know by now, when I have something in front of me I look for what people intend. And when, in 2020, I looked at what was presented. I looked at what the changes were. I agreed with it. When they came back earlier this year, the same thing happened. They brought resolutions again. The Minister went again and made changes, and now we are going back to where we were. It means to me that there is—it seems to me that really and truly there is no intention, no real intention to comply with this, because it is not adding up. Every step of the way there will be reasons as to why it should not happen. Rather than building the independence of the office that has been put into place, and the Government says it agree with, building that competence within there, rather than just going back to what you had before.

Mr. Vice-President, I am not sure. I cannot understand and, therefore, I cannot accept this. I cannot accept the Legal Notice that has been presented and, therefore, I have to agree with the Opposition that it should be annulled. Thank

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Dr. Dillon-Remy (cont'd)

you.

Hon. Members: [*Desk thumping*]

Mr. Vice-President: Sen. Lutchmedial.

Sen. J. Lutchmedial: Thank you. Thank you, Mr. Vice-President. Mr. Vice-President, let me begin by thanking Members of the Independent Bench for their contributions. I believe that they have quite succinctly responded to the issues raised by the Minister of Finance and they have quite succinctly, I would say, they have done my job for me. So that, I too feel that I could stand up and say ditto and allow this question to be put.

Because what Independent Sen. Maharaj and Independent Sen. Dillon-Remy have encapsulated quite nicely in their contributions is exactly what we have been saying for the last eight years. The PNM is about taking us back to the dark ages. They are about taking us back in time. They are not in favour, and that is why I began my contribution reminding this honourable Senate, reminding the country, reminding the population that the PNM never wanted procurement law in this country to take us forward and to stamp out the culture of corruption in this country.

They removed themselves from the consultation process, they abstained from voting, never forget that.

4.40 p.m.

So every time they come to this Parliament with an exemption order it is a means towards the end that they always had in mind from when they were in Opposition. Do not bring oversight and accountability into the public expenditure of moneys. That has been their mantra and that has been their objective since 2014 when the Bill was initially debated. So what we are seeing here today is just a

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

continuation of what this Government has wanted from day one, and that—I am very happy it seems that the eyes are being opened around this Chamber and people are seeing for themselves what this Government is really about.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: When Sen. Mark asked me to pilot this Motion on his behalf and I realized I would have to wind up, I was a bit uneasy because usually I am accustomed to I stand up, I make my contribution and then that is it, I could relax. I do not have to think and listen to everything that is being said and so on and try to respond quickly, you know, and think quickly and not that I, you know, I like a challenge but, you know, I felt a little bit—Usually that is Sen. Mark’s job with his experience and so on and me being the least experienced person on this Bench, I was a bit uneasy about it. But the Minister of Finance made my job so easy because he came here with zero substance.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: Not a single actual modicum of information or justification for this. You know what the Minister of Finance came here to say? “Yuh see my Ministry and”—what they call it?—“Public Debt Management Division, we is the greatest ting since slice bread, I love dem, dey rel good and nobody should interfere with dem.”

Sen. Lyder: Yeah, Yeah.

Sen. J. Lutchmedial: That is what the Minister of Finance has come here today in response to this Motion to say is why he is exempting all financial services. And I am glad the Independent Bench has also picked up on it. Financial services and the definition in this Order is so broad, it is billions of dollars. It is billions of dollars that will be borrowed that could be accessed by state enterprises and so on

and only the Minister and his Ministry should be able to participate in that process with no oversight.

The other thing that I think the point that was well made is that rather than try to build competency within our state agencies, the Minister has come here to say: “Yuh see dem people in dem state enterprises, dem doh know wuh dey doing.”

Sen. Nakhid: [*Inaudible*]

Sen. J. Lutchmedial: Yeah. Like everybody except he “duncy head.” He is the only bright one. So he is the only bright one in the whole public sector, and he is the only one who has the ability to engage in financial services.

Sen. John: And count we money.

Sen. J. Lutchmedial: Yeah, and “count de money, and spend de money.” And nobody must interfere with that process because that is his little domain and in the little fiefdom, yes.

Sen. Nakhid: “Fiefdom”, “dais de word”, the “fiefdom”.

Sen. J. Lutchmedial: Yes, in his little fiefdom and he “doh wuh no procurement regulator” coming into his little fiefdom. That is what he has come here today to say. So I could not believe that I was actually anxious about me having to respond to him but he has brought nothing for me to respond to.

Sen. Lyder: Yeah.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: He has brought nothing. He said, “Some state enterprise was at it for nine months, could not get it right, and he had to save the day”, so that is why he has come now to seek an exemption. That is the justification of this Minister and this Government for taking us back to a time before the State took a

decision, the Parliament, and the Government of Kamla Persad-Bissessar took a decision to stamp out corruption in this country—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—and the culture of corruption. And the Minister of Finance does not want anybody in his little kingdom, his fiefdom, to come and interfere with the exercise of his discretion and what he is doing because Debt Management Division apparently is where all the competence in the whole of Trinidad and Tobago lies, and only they could do what they do.

I will take one issue with something that Sen, Maharaj said and I feel I have to comment on it because Sen. Maharaj said, “It is obvious the Government is not ready, they are not prepared” and if she had her way she would give them a year and she knows it is not an option, but that she would perhaps give them a year to get their house in order. Sen. Maharaj, let me remind you they had eight years—

Sen. Nakhid: Eight years, eight years.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: They had eight years and have come to the Parliament today just like they did on the last occasion to say, “Look yuh see this Procurement Act, it too hard, it too hard.” That is what they are saying you know, every time they come here they will say it is too hard. I was hearing a discussion about buses earlier, I expect by next week we will see an order saying look only PTSC know how to buy bus, so exempt that. By next week we will see only WASA know how to buy pipe, so let us exempt that. Because everything that seems too much of a challenge and where this Government thinks that only certain people have expertise, they will start exempting it. So we will start chopping, chopping, chopping, chopping, and whittling away at a piece of legislation which is supposed

to change the way we do business with taxpayers' dollars in this country.

Mr. Vice-President, it is I repeat, a travesty, a travesty and an insult to the population, to the people who have lobbied, who have lobbied for this because the Minister of Finance thinks that is only him and no procurement regulator should be able to understand because nobody understands bunching of debt. Well, I want to say here anybody with a modicum of intelligence could realize that it is a pack of fluff that the Minister of Finance has brought here today.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: And I know about trust deeds, and I know about hiring lawyers, and I know that it is only certain lawyers get hired and get all the work from the Ministry of Finance in order to arrange those instruments and so on, right? That is part that I know about as well as a lawyer.

Sen. Nakhid: The note takers.

Sen. J. Lutchmedial: And I also know that when they have to choose their financial institutions and so on, how it is done. When you choose people to arrange the bonds, when you choose people to do all sorts of different things that is involved in this process, but the fact of the matter is if we want to change the way we do business in this country we must be building competence, not exempting people and saying, "Doh worry, yuh eh know wha yuh doing".

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: "I go do it fuh yuh." That is what this exemption order will amount to, based on what the Minister has said.

So, Mr. Vice-President, I am certain that based on everything that has been said today, and even if the Minister of Finance does not feel that we on this Bench in the Opposition have the intelligence to understand what he is saying, I repeat,

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

anybody in the entire country with a modicum of intelligence could realize what this is really about. This is really about this Government in their last days trying to get away from transparency and accountability—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—in their last days on their way out, on their way out to not have, to not have the level of oversight and accountability that the Procurement Act has envisaged for government spending for certain things that have to be done. They want to be able to give government guarantees, they want to make sure that everything stays in-house, they want to make sure that, you know, whatever they are doing it is done under the cloak of secrecy.

You could simply listen, and I heard the Minister say, and I am responding to what he is saying about, you know, that they are accountable to the Parliament and they lay their Papers and they ask questions and so on. Anybody listening to the question and answer session at the beginning of today's sitting would see that this Government does not want to account for their actions to this Parliament.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: And they do not want to account to the people, and by extension, they do not want to account to a procurement regulator. And that is why this Order has been made, that is why the Order has been passed. I say again, after giving an undertaking and pretending to appease the Independent Bench as they do from time to time in this House, particularly, and changing the definition that was brought initially in the 2020 legislation, they have surreptitiously brought it back by way of this Order and had it not been for the vigilance of the Opposition—

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial:—we would have not had the opportunity to annul this Order

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

here today.

I commend the Leader of the Opposition, I commend Sen. Mark, and all the other members of the team tasked with reviewing these things. The reality is that nobody reads the *Gazette*, people do not know. People do not know what is going on and it is our responsibility to let them know what is going on. And the Minister could come here in the most, you know, in whatever manner he chooses and speak down to Members of this House.

Sen. Nakhid: Arrogant.

Sen. J. Lutchmedial: Yes, with his typical—I would not use a word like that but, yes, with his typical—

Sen. Nakhid: I will.

Sen. J. Lutchmedial:—mannerisms and speak down to people in this House, but at the end of the day, we speak for the people of this country.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: We speak for the people of this country who deserve to know that the law that they lobbied for, the law that they have asked for, the law given to them by the People's Partnership Administration is now being chopped, and cut, and whittled away by this Government, and not one single good reason, not one good reason except the fact that public what? Public Debt Management Division is the greatest thing since slice bread in this whole country managed by this particular Minister, only them understand what needs to be done and therefore, we will not build competence in state enterprises, we will not build competence of the Office of Procurement Regulation, we will not make assure that you have independent agencies as checks and balances on each other within this country, we will simply say, "Okay Minister, you go ahead, you do whatever you want."

Public Procurement & Disposal
of Public Property Order, 2023
Sen. Lutchmedial (cont'd)

Sen. Lyder: We trust you.

Sen. J. Lutchmedial: Not today, not as my ancestors would say, not in this *janam* or the next.

Hon. Senators: [*Desk thumping*]

Sen. J. Lutchmedial: You will not get that pass—you will not get that pass this Opposition, and I ask the Members of the Independent Bench to stand with us today, stand in favour of transparency, accountability, oversight, integrity, and stand for the people of Trinidad and Tobago and annul this Order that has been brought here today. I beg to move.

Hon. Senators: [*Desk thumping*]

[MR. PRESIDENT *in the Chair*]

Question put.

Sen. Lutchmedial: Division.

Sen. John: Division.

The Senate divided: Noes 17 Ayes 11

NOES

Browne, Hon. Dr. A.

Armour SC, Hon. R.

Sinanan, Hon. R.

Hosein, Hon. K.

West, Hon. A.

Mitchell, Hon. R.

Cox, Hon. D.

Singh, Hon. A.

Ibrahim, Dr. M.Y.

Lezama-Lee Sing, Mrs. L.

Hislop, L.

Bethelmy, Ms. Y.

Young, N.

Seales, M.

Borris, H.

Richards, Dr. P.

Vieira, SC. A.

AYES

John, Ms. J.

Lutchmedial, Ms. J.

Nakhid, D.

Lyder, D.

Roberts, A.

Gopeesingh, Dr. T.

Dillon-Remy, Dr. M.

Hutchinson, Prof. G.

Patasar, Dr. S.

Maharaj, Ms. S.

Francis, H.

Hon. Senators: [*Crosstalk*]

Mr. President: So Members, Members, Sen. Lyder, the process is not yet done.

Motion negatived.

4.55 p.m.

Mr. President: Leader of Government Business.

ADJOURNMENT

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 one matter to be raised on the Motion for the adjournment of the Senate. Sen. Vieira.

Hon. Senators: [*Desk thumping*]

Israel/Palestine Conflict in Gaza

Sen. Anthony Vieira SC: Mr. President, today marks one month since Hamas' devastating surprise attack on Israel. I expect most of us in this Senate are alarmed by the violence and scale of destruction unfolding in Gaza. We view with anguish, the high number of civilian casualties, the loss of critical infrastructure and the horrific pain and suffering being endured on both sides of the conflict. Most of us I believe, would like to see the United Nations or a group of countries working in tandem to intercede as peacemaker, on humanitarian and moral grounds with a view to offering a viable path to peace.

I acknowledge that first blood was not drawn by Israel, that Israel has a right to exist as a State and that countries have a right to defend themselves however, there is such a thing as excessive self-defence. When Israel declares it is going to level Gaza, when it launches a brutal siege, among other things depriving the civilian population of Gaza of water, fuel and electricity. And when innocent Palestinian civilians are indiscriminately killed, or displaced en mass, that goes beyond legitimate self-defence and Israel runs the risk of pivoting from victim into the role of oppressor.

Clearly, serious violations of international human rights laws and potential war crimes have been committed on both sides. We need these to be investigated and dealt with. We need all parties to the conflict to respect their obligations under international humanitarian law, and for the United Nations to step in and take stewardship of Gaza under the “Responsibility to Protect” doctrine. Most importantly, we need the prompt and unconditional release of all hostages, and for the siege on Gaza to discontinue forthwith. Because this conflict does not just threaten security and stability in and around Gaza. If left unchecked, it can escalate into a greater war, which would be extremely dangerous. In the event, I am concerned about our nationals in the Middle East, who may be at risk by the escalating conflict.

Accordingly, I call on the Government to continue working with CARICOM and other responsible members of the international community in pressing for an immediate ceasefire, for the provision of lifesaving assistance to those in need and for all steps to be taken that would reduce the chances for a wider regional war.

It is also my hope that our country can play a role in improving the United Nations, because what we have now is clearly not working, clearly not working as it should. We need to strengthen the UN’s ability to protect and promote human rights around the world. We need to improve the UN’s capacity to prevent and resolve conflicts and we need a UN that can make fair, just and effective interventions in a timely manner. This will require reform of the UN Security Council to better reflect the current global power balance.

In an essay entitled: “Israel in Search of Lasting Peace” written by former Israeli Prime Minister, Golda Meir in 1973. She counselled that:

If leaders could focus on the genuine needs of the people of the region, peace would prevail. Without such a breakthrough—she warned—the cycle of violence will continue. History repeats itself in the Middle East.

If Israel hopes to secure lasting peace, I believe it needs to change tact. The country that Israel becomes in the next decade will depend on the political and military choices it makes now. If we hope to break the cycle of continuing violence and hate, if we hope to avoid the Gaza conflict escalating into a greater war, then war mongers and hardliners should not be allowed to call the shots. Instead, we must lend support to the President of the General Assembly, our own Mr. Dennis Francis, by insisting on sustained diplomacy towards the two-State solution, consistent with international law, and relevant United Nations resolutions, a solution that can fulfill Israel's legitimate needs for security and which can also fulfill the state of Palestine's legitimate aspirations for an independent State. The international community needs to help Palestine build strong governing institutions willing and able to crack down on terrorism.

Mr. President, I deeply believe that in the eyes of the Great Spirit all lives are equal. A Palestinian's life is just as precious as an Israeli's and vice versa, when the sunrises it raises for everyone. It is my hope that in this beautiful season of Divali, the echo of holy chants, and the festival glow of sparkling lights will inspire peace and goodwill throughout the planet in these dark and dangerous times. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Leader of Government Business.

Hon. Senators: [*Desk thumping*]

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Thank you, Mr. President. Mr. President, Sen. Vieira has raised a

matter that is timely, it is relevant, it is pertinent and there can be no doubt that it is a matter of life and death for many persons. The Government of Trinidad and Tobago totally condemns the killings of civilians in Israel, over 1,000 civilians were killed on October 7th by Hamas, according to reports, and hundreds were taken hostage. We call for the immediate release of every single hostage.

The Government of Trinidad and Tobago totally condemns the ongoing widespread killing of civilians by the Israeli military, including over 4,000 children according to reports. We note that up to 79 staff of the United Nations have also been killed in Gaza, along with over 10,000 Palestinians according to reports. Thus far there is no signal of abatement in the violence, nor a clear way forward to ending the conflict even following meetings of the UN Security Council. The people of Gaza also face loss of power, water, internet and communication services, as well as interruptions to supply of food and medical attention. We call for an immediate cessation of the bombings of Gaza and an immediate end to attacks on civilian infrastructure, including attacks on hospitals, schools and other facilities.

Mr. President, COFCOR, the Council for Foreign and Community Relations of CARICOM meets tomorrow for a virtual discussion and furtherance of CARICOM's position on this very matter and I will be robustly participating in those discussions. I assure the Senator, I agree with him that diplomacy and dialogue must prevail and there must be a strong role for the United Nations in finding a solution and an end to this cycle of violence.

Mr. President, the matter is raised refers to assistance for Trinidad and Tobago nationals at risk of this escalating conflict. It is a matter of public record that early in the conflict, the Ministry of Foreign and CARICOM Affairs received some information on the presence of nationals of our country in Israel and in the

region. From the period Sunday, October 8th 2023 to Monday, October 16th, the Ministry was informed of seven Trinidad and Tobago nationals who were in Israel when Hamas launched its attack.

Information was received via a telephone helpline that we specifically set up to assist members of the public, as well as a special email address, as well as information received from our overseas missions. These nationals have sought the Ministry's assistance and in some cases advice with respect to urgently departing Tel Aviv, and returning to Trinidad and Tobago. For those individuals who were able to make arrangements on commercial airlines the Ministry provided guidance on flight options, assisted with the advising on the availability of flights out of Tel Aviv, and helped actually with the making of bookings for several nationals, as required. We also provided information to our contacts in the region, who were monitoring the security and the movements of our nationals where possible.

On Sunday, October 8th, we were contacted, in fact the Minister, myself, was contacted by the mother of a 16-year-old girl who was studying in Israel, and for whom urgent assistance was sought with departure from Israel. The Ministry worked with the mother and the daughter and another family member towards securing an alternative flight from Tel Aviv, the minor was able to depart on October 9th.

Subsequent to assisting with the flight arrangements the Ministry coordinated with diplomatic missions, including the EU Ambassador to render assistance during the national's journey, our Honorary Consul in Istanbul, Turkey was present at the airport in Istanbul during the young girl's transit through that territory, and our diplomatic staff at the High Commission in London met her on arrival, provided overnight accommodation during her time of transit in England,

and further assistance as well and the Ministry stands available to assist with costs associated with this individual's movements.

On Monday, October 9th we were also contacted by the mother of a 48-year-old male national informing of his presence in Israel for a religious conference and the cancellation of his outbound flight on that day. We worked very hard on this case as well and there was success in booking an alternative flight with a commercial airline on Friday, 13th October. Sadly, that flight was cancelled. Due to the cancellation of all commercial flights at the time, we liaised with a series of foreign governments to facilitate the national's departure including the Government of Canada and the Government of the Netherlands.

Finally, we got a booking on a Netherlands repatriation flight, the national departed Tel Aviv on Monday, October 16th to Cologne, Germany. The evacuees were then transported by bus to the Eindhoven military base in the Netherlands, and the Embassy of Trinidad and Tobago in Brussels, Belgium provided further assistance for the national's journey from the military base to the international airport in Amsterdam, then to Trinidad and Tobago, he returned to T&T on Wednesday, October 18th and some expenditure was undertaken for this movement.

On Tuesday, October 10th the Ministry was contacted by a particular company, Joint Integrity Management Services Limited, in forming that two of their employees, nationals of T&T, are in Israel as they were contracted to work for an Israeli oil company. They informed that the group was making arrangements to evacuate the workers, and they were evacuated from Israel on a charter flight on Sunday, October 15th. The Ministry was also made aware of the presence of three other nationals in Haifa, Israel. Two of those nationals held British citizenship and in that regard, they were successful in being booked on a

repatriation flight by the British Government and left Israel on Sunday, October 15th.

Over the period October 13th to 21st, two additional families comprising a total of five nationals of our country registered their presence with the Ministry—their presence in Israel with the Ministry. These families opted to remain in Israel and have not sought return to T&T at this point in time. One family—I would not go into the details of those families, that they are safe and we continue to monitor.

5.10 p.m.

Mr. President, the Ministry also started receiving communication from other nationals in other parts of the Middle East who have wanted to register their presence with the Ministry. We have been taking those registrations; give examples, in one instance an adult male sent email communication via our help line. He currently lives and works in Lebanon with the UNHCR. He has been there for over a year. He is based in Northern Lebanon and he is informed that the UNHCR has an evacuation plan to Cyprus should the situation become worse. He continues to update us. And lastly, there is another national, male, who we were informed of his family's presence in Qatar some distance away. He informed that he has been working there since 2015. He has provided all contact details and he has requested—

Mr. President: Minister, you have one more minute.

Sen. The Hon. Dr. A. Browne: Thank you. He has requested the Ministry's assistance with returning to Trinidad and Tobago should the situation in the wider region deteriorate substantially.

At this time, the Ministry is not aware of any national of Trinidad and Tobago who is currently in Gaza. We maintain our contact links. We maintain our email outreach and other efforts to ensure that we provide all necessary and

available assistance to nationals in need, and particularly those who request assistance with evacuation out of Israel or any of the countries in the region. I really want to support the submission of this matter by the distinguished Senator to indicate that the Government of Trinidad and Tobago continues to be engaged in the diplomacy, the dialogue via CARICOM and other means.

We continue to exert our leadership at the United Nations General Assembly and will always be counted on the path of peace and standing with other nations calling for an end to this cycle of violence and doing our part. Thank you very much, Mr. President.

Hon. Senators: [*Desk thumping*]

Senate Standing Orders

(Decorum in the Chamber)

Mr. President: Hon. Senators, before I invite Members to bring greetings on the occasion of Divali, I take this opportunity to remind all, strongly, that there are Standing Orders that govern everything in this Chamber, how you enter, how you leave and how you conduct yourselves within the precincts of the Senate of the Republic of Trinidad and Tobago. Towards that end, I remind you specifically of Standing Order 51(1)(a), which reads:

“A Member present in the Senate during the debate—

(a) shall enter or leave the Senate with decorum;”

—and more specifically, 51(1)(1):

“shall otherwise conduct himself in a fit and proper manner;”.

I am not inclined to tolerate breaches of these Standing Orders as it relates to this Senate. Be so guided.

Divali Greetings

Mr. President: Leader of Government Business, who is bringing greetings on the

Government side?

Sen. Dr. Browne: The Minister in the Ministry of Agriculture, Land and Fisheries.

Mr. President: Minister in the Ministry of Agriculture, Land and Fisheries.

Hon. Senators: [*Desk thumping*]

The Minister in the Ministry of Agriculture, Land and Fisheries (Sen. The Hon. Avinash Singh): Thank you kindly, Mr. President. Mr. President, I bring greetings to you and I say *Sita Raam* and *namaste, assalamu alaikum*, as my forefathers would have done. I want to also thank you for the opportunity to bring greetings to the Hindu community, one of the world's most ancient and longstanding religious traditions, and by extension, all citizens of the Republic of Trinidad and Tobago on the occasion of this year's impending Divali celebrations, 2023; the festival of lights which is the 58th Divali public holiday since the festival was granted public-holiday status in 1966. Taking place on the 15th night of the dark fortnight in the month of *Kartik* in the Hindu calendar, Divali celebrates the victory of good over evil, light over darkness and knowledge over ignorance.

For the whole national community the most universally recognizable and heartwarming element of Divali festivities is the lighting of deeyas. Tradition has it that the deeyas symbolize the triumphant homecoming of Lord Rama after his victory over the evil king Ravana of Lanka, and this is taken from the holy scriptures, the *Ramayana*. Other elements of festival observances include fasting, prayer, puja, and the cleaning of houses and the giving of charity. In fact, this auspicious occasion unites people of all origin and faiths and transcends religious and ethnic barriers. The promotion of light, knowledge and charity to counteract darkness, ignorance and evil is a theme of great relevance to our national community and indeed to the world at large for the greater good, the values and

qualities exemplified by Divali are those to which we should all aspire.

Mr. President, I therefore encourage all of us to do our parts to represent the spirit of Divali so that Trinidad and Tobago can overcome the ills that besiege us and truly reclaim our status as the united society of discipline, production and tolerance that our forefathers intended us to be. Therefore, hon. Senators, in the spirit of light and unity, please allow me on behalf of the Government of the Republic of Trinidad and Tobago, my family and myself, to wish each Member of this august House and all the citizens of Trinidad and Tobago, Shubh Divali. May we all enjoy light, love and many blessings. I also wish you, Mr. President, your family, and all those in Trinidad and Tobago, wealth beyond material possessions, as it is the richness of the heart and soul that is most valuable to all of us. Shubh Divali and may God continue to bless us. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Gopeesingh.

Hon. Senators: [*Desk thumping*]

Sen. Dr. Tim Gopeesingh: Thank you, Mr. President. It is truly my pleasure to join in the commemoration of this very auspicious national festival of lights, Divali, otherwise known as Deepavali in this esteemed Chamber of our democracy. This year as we celebrate this beautiful, inspiring and holy time in our nation, we must never forget the very significant role that the Hindu community has played in building our nation into this place of progress and democracy we enjoy today. Divali, like other religious observances, transcends Hinduism since it embodies not only religions and spiritual values but also espouses social, philosophical, ethical and moral principles that are universal.

Divali's long and enduring legacy as a national unifying bond is well established. Hindus and non-Hindus, commercial enterprises, government and

governmental agencies have all contributed to the recognition and role of Divali in national life through hosting of a wide variety of cultural and religious events. These have solidified community and national unity to a significant degree. At the spiritual centre Divali is a poignant reminder that above everything we are spiritual beings and we have the ability to realize our spiritual potential. We therefore have to strive tirelessly to evolve spiritually by eliminating even the minutest trace of any negative quality and ensuring that we can demonstrate the noblest qualities, values and behaviours in our everyday life.

The light of Divali encourages us to light up our life by cultivating a selfless disposition. A light never discriminates. It gives its brightness to all that are in its ambit, so too we must discover ways to be the light in society. Divali is a symbol of the light of knowledge that eradicates the darkness of ignorance. Above all, Divali's central message is the love for God as the most important factor in our existence. We must fill every core of our body with the oil of devotion so the wick of enlightenment is lit. There is no higher purpose in life than becoming self-realized beings and Divali provides us with repeated opportunities to realize the divine self within each of us. Divali therefore reminds us that as a people and country, we will always face destructive forces that threaten our stability and progress but the light of goodness will always triumph.

May this sacred, beloved national festival of lights therefore be the harbinger of joy and prosperity to all and add new hope, confidence and courage in our hearts. On behalf of the Leader of the Opposition here, Mrs. Kamla Persad-Bissessar and all of us here in the Opposition UNC Bench, and I am certain in the other place, we extend our most sincere Divali greetings to you, Mr. President, and your family, all hon. Members of this House and your families, the staff of the Parliament, all of your families and loved ones, and the wider

Divali Greetings
Sen. Dr. Gopeesingh (cont'd)

2023.11.07

population of Trinidad and Tobago. May Mother Lakshmi's riches blessings be showered abundantly upon you and yours, and may you always continue to prosper in her divine light of happiness and goodness. *Jai Mata Lakshmi* and Shubh Divali. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Patasar.

Hon. Senators: [*Desk thumping*]

Sen. Dr. Sharda Patasar: *Sita Raam, namaste, assalamu alaikum.* Good afternoon to everyone. It is a pleasure for me to bring Divali greetings on behalf of the Independent Bench to the Hindu community and all citizens of the Republic of Trinidad and Tobago. The last month has been dedicated to the worship of the feminine divine. Preceding Divali was the period of *Navratri* which celebrated the triad of divinities to which Lakshmi belongs. Lakshmi represents in Hindu tradition the *rajasguna* which is the quality of action, the quality of will and the quality of desire to do. She is known as the *iccha-shakti* which is the quality of will. On this occasion on which we focus on Lakshmi as health and wealth, these concepts are viewed from a very holistic point of view. She is also known as Ashta Lakshmi or has eight forms, and the eight forms of wealth are willpower, courage, perseverance is one group; material wealth, spiritual wealth, agriculture, animals, children, knowledge and victory. So on this occasion we nurture this wealth in all its forms.

So as we move into a period to a day that is traditionally associated with health and wealth, may we look at it in this holistic way, health as spiritual and mental; wealth as spiritual and mental. And as we recite the Lakshmi mantra that goes:

“Om siddhi buddhi prade Devi

Bhukti mukti pradayani

UNREVISED

Mantra murte sada Devi

Maha Lakshmi Namostute

It says, “*Om siddhi buddhi prade Devi*”, giver of perfection and intelligence; “*Bhukti mukti pradayani*”, the giver of enjoyment and liberation; “*Mantra murte sada Devi*”, she who is the incarnation of sacred sound; “*Maha Lakshmi Namostute*”, salutations to you, Oh, Lakshmi.

So on behalf of the Independent Bench, I extend Diwali greetings to everyone, all Members of Parliament, Members of this House and to the citizens of Trinidad and Tobago. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Hon. Senators, I too wish to join you in bringing greetings on the occasion of Diwali to be celebrated on Sunday, November 12, 2023. Diwali is one of the most auspicious festivals observed by Hindus worldwide. Symbolized by countless lit deeyas, the collective light that pierces the night’s darkness signifies hope, joy and the triumph of good over evil. Diwali is not only a testament to the power of enlightenment but also reflects unity and integration since all citizens of Trinidad and Tobago are avid participants in Diwali celebrations.

Officially declared a public holiday in 1979, Diwali is commemorated annually in accordance with the Hindu lunar calendar. Devotees undergo a period of fasting and preparation, followed by feasting and festivity with family and friends. Being a true exemplar of a cosmopolitan people, let us now join together with the Hindu community in celebrating this joyful event. Shubh Diwali to all.

Hon. Senators: [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.25 p.m.