

SENATE*Tuesday, April 16, 2024*

The Senate met at 10.00 a.m.

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

Mr. President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Donna Cox and Sen. Damian Lyder, both of whom are out of the country.

SENATORS' APPOINTMENT

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

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/Christine Kangaloo

President.

TO: MR. MICHAEL SEALES

WHEREAS Senator the Honourable Donna Cox is incapable of performing her duties as a Senator by reason of illness:

NOW THEREFORE, I, CHRISTINE CARLA KANGALOO, President as aforesaid, in exercise of the power vested in me by section 44(1)(b) 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

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16th April, 2024 and continuing during the absence of Senator the Honourable Donna Cox by reason of illness.

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 16th day of April, 2024.

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. COLIN NEIL GOSINE

WHEREAS Senator Damian Lyder 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, COLIN NEIL GOSINE to be a member of the Senate temporarily, with effect from 16th April, 2024 and continuing during the absence from Trinidad and Tobago of Senator Damian Lyder.

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

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Tobago at the Office of the President, St. Ann's, this 16th day of April, 2024.”

OATH OF ALLEGIANCE

Senators Michael Seales and Colin Neil Gosine took and subscribed the Oath of Allegiance as required by law.

JOINT SELECT COMMITTEES (CHANGE IN MEMBERSHIP)

Mr. President: Hon. Senators, I have received the following correspondence from the Deputy Speaker of the House of Representatives

“Re: Change in Membership of Joint Select Committees

Reference is made to the subject at caption.

At a sitting held on Friday April 12, 2024, the House of Representatives agreed to the following resolution:

“BE IT RESOLVED that the House agreed to the following appointments to Joint Select Committees:

1. On the Joint Select Committee on Finance and Legal Affairs:

- Mr. Symon de Nobriga, MP in lieu of Mr. Terrence Deyalsingh, MP; and

2. On the Joint Select Committee on Foreign Affairs:

- Mrs. Lisa Morris-Julian, MP in lieu of Mr. Terrence Deyalsingh, MP.”

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

Thank you.

Respectfully,
Esmond Forde, MP

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(Mr. Michael Anthony De La Bastide T.C.)

Deputy Speaker of the House”

TRIBUTES

(MR. MICHAEL ANTHONY DE LA BASTIDE T.C.)

Mr. President: Hon. Senators, the Right Honourable Mr. Justice Michael de la Bastide, T.C., Chief Justice, retired, passed away on Saturday, March 30, 2024. I now invite Members to offer tributes. Leader of Government Business.

Hon. Senators: [*Desk thumping*]

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, I rise to pay tribute to one of the most outstanding jurists in the history of Trinidad and Tobago, the Right Honourable Mr. Justice Michael Anthony de la Bastide TC, former Chief Justice of Trinidad and Tobago and former President of the Caribbean Court of Justice, who departed this life on the 30th of March, 2024. His friends and colleagues have described him as a luminary, a legend, a mentor to many, a colossus of the legal profession, and as someone who was always in the pursuit of excellence, and this is just to name a few of the accolades that are worthy of emphasis and repetition.

A special honour falls to me today to present a tribute to this larger than life, son of the soil, whose passing bestows upon us the duty to recognize the sterling contributions to the upholding of our democratic principles and to the strengthening and deepening of our tradition of maintaining an independent judiciary. The Right Honourable Mr. Justice Michael de la Bastide TC first saw the light of day on the 18th of July, 1937. He was born in Port of Spain in the period between two World Wars, which was a very important era for the Caribbean territories that were still part of the British Empire, and especially an important era for Trinidad and Tobago, which was still a few decades away from realizing our independence from the United Kingdom.

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It was an era of great turmoil, challenge and momentous change when scarcity and necessity became the parents of invention and innovation, mirrored in part by the emergence of our national instrument, the steelpan. It was a period of labour unrest, of intensified cries against social injustice, of a rising tide of grassroots political activism, of continued cultural awakening, and of other distinct elements that were to help forge a new sense of nationhood at the time.

Michael lost his father when he was just nine years old, collapsing suddenly on the tram one sunny morning, as it moved slowly around the savannah in Port of Spain, but he had seven older siblings and a strong Catholic mother who was determined to raise her children well. So he grew up in the absence of wealth whilst surrounded by loving support. Great women and men are forged out of dynamic social and cultural currents of various kinds, under the steady guidance of their family, mentors, communities, as well as the faith, convictions and determination to succeed, and Michael de la Bastide can certainly be counted among such greats.

Against that backdrop, a stalwart and imposing young man developed his determined and generous character. His intellect, enthusiasm, love of learning and his cleverness, his leadership attributes on an exciting journey from youth to adulthood. From 1945 to 1955, he attended St. Mary's College in Port of Spain where he did exceedingly well, eventually being awarded the Trinidad and Tobago island scholarship in languages in 1954. His dear wife, Simone, remembers him saying, and I quote:

If I had not won that scholarship, I would not even have a university degree, as my mother could not afford to send me to university.

Some of us here can relate.

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From 1956 to 1960, this blossoming academic attended the University of Oxford where he read law, attaining the degrees of Bachelor of Arts in Jurisprudence with First Class Honours in 1959 and a Bachelor of Civil Law with First Class Honours in 1960. Mr. de la Bastide served as a part-time tutor in law at Christ Church, from 1960 to 1961. He was also awarded a Cunningham Macaskie Scholarship and a James Mould QC Scholarship from Gray's Inn having become a member of Grays Inn in 1956.

He was called to the Bar on the 7th of February, 1961, always presenting a practical combination of balance, persistence and daring in his undertakings throughout his life's journey. During his sojourn at Oxford University, Michael de la Bastide was not just brilliant at academics, but he also became the captain of that university's lawn tennis team. He was also a member of the Oxford University hockey team.

A love of sports remained with him throughout his life and he would later proceed to represent Trinidad and Tobago in the sport of hockey at the 1971 Pan American Games in Colombia, and he also represented us in the game of bridge in several international tournaments between 1980 and 1995. Additionally, he served as a member of the management committee of the Queen's Park Cricket Club, from 1969 to 1992, and held the position of Vice-President of that club from 1982 to 1992.

10.15 a.m.

His academic and all-round foundation led him to a distinguished and absolutely outstanding career in the legal profession, some elements of which I will now highlight. From 1961 to 1963, Mr. de la Bastide worked as Crown Counsel in the Office of the Attorney General of Trinidad and Tobago, following which he

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entered private practice. He had the privilege and distinction of serving as a member of both the Wooding Constitution Commission and later on, the Hyatali Constitution Commission and in between, he was appointed Queen's Counsel in January 1975.

Bearing in mind, my earlier references to the dynamic historical period into which he was born, it really should have come as no surprise that Michael also developed a keen interest in national politics. In this vein, he served in the First Republican Parliament of Trinidad and Tobago, from 1976 to 1981, in this very House as an Independent Senator. There again, he was balanced, measured, well spoken, well researched, respected and respectful, and he sought to represent the public interest in every debate that he joined.

Michael de la Bastide was elected President of the Law Association of Trinidad and Tobago for three terms, from 1987 to 1990, and thereafter became senior partner of the law firm, de la Bastide & Jacelon. With an already resplendent career behind his name, in 1995, Michael de la Bastide was honoured to be appointed Chief Justice of our country by the then President of the Republic, His Excellency Noor Hassanali on May 31, 1995. One year later, the new Chief Justice was also awarded the highest national honour in Trinidad and Tobago at the time, the Trinity Cross, in August 1996. In November of that year, he was elected as an Honorary Bencher of Gray's Inn and was created a Fellow of the Society for Advanced Legal Studies in the year 2000.

In July 2002, Mr. Justice de la Bastide demitted office as Chief Justice and he was sworn in as a member of the Privy Council by Her Majesty Queen Elizabeth II on the 27 July 2004, and on August 18, 2004 he was sworn in as the very first President of the Caribbean Court of Justice. The establishment of the

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CCJ here in Port of Spain, along with him having become its first President, was no small achievement for Justice Michael de la Bastide, as the establishment of the Caribbean Court of Justice was a cause very dear to his heart for which he had been a very vocal, articulate and important advocate.

It has been noted to his credit that as the CCJ's inaugural President, it fell to him to give guidance on a range of considerations and processes, given that the CARICOM region did not boast of any other court or even any other regional institutions that were analogous to the CCJ. Furthermore, his belief in the potential of the institution and his careful articulation of the view that Caribbean jurisprudence had long come of age cannot be overstated.

He worked ardently and tirelessly, alongside others, to promote the idea that the CCJ should and must become the final Court of Appeal for Trinidad and Tobago and the other member states of our Caribbean community. For this, as well as his previously outlined attributes, Mr. de la Bastide holds a special place in the hearts of many at that distinguished institution and indeed throughout CARICOM, even though the ebb and flow of opinion on the CCJ question continues to present much fodder for debate in some quarters. The Right Honourable Mr. Justice Michael de la Bastide retired from the Caribbean Court of Justice on 18 August, 2011, but his legacy lives on in its hallowed halls and across many other institutions that he graced with his distinguished presence.

Mr. Justice Michael de la Bastide was also known for his great generosity towards colleagues, friends, mentees, community, an aspect of his character that is already borne out in some of the extra-curricular activities mentioned earlier, as well as through other personal engagements, for example, his membership on the board of management of the St. Dominic's Children's Home for two decades, from

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1968 to 1988. He served in several other charitable capacities, contributing not just his time but also freely giving legal advice and funding to individuals and organizations that supported challenged and marginalized young people and the most needy in society.

In the words of his dear wife, Simone, he always found ways to pay it forward quietly and consistently. She described him as a formidable, confident man who firmly believed in God. And thusly, I also wish to pay tribute to Michael de la Bastide as a family man. The family remains the greatest crucible of our formation as individuals and communities, and our families are our greatest support groups, providing us with strength, resilience and endurance, and Michael's family meant a great, great deal to him and contributed to his overall success in life.

I am honoured to once again extend sincere and most profound condolences to his dear wife, Mrs. Simone de la Bastide, and to his children, Michele, Juliet, Simon, Chantal and Christian. I also extend my heartfelt sympathies to his grandchildren, siblings and all other relatives, as well as to the many close friends of his family.

The Government and people of the Republic of Trinidad and Tobago joined his family in paying final ceremonial respects to the Right Honourable Mr. Justice Michael de la Bastide on April 11, 2024, during the official funeral held in his honour in Port of Spain. That official funeral service was a product of collaboration, dedication, respect and love in direct reflection of the attributes that contributed to his legacy of great service to our nation and the wider region. The body of work proceeding from his astute mind and his flowing pen, much like his indomitable spirit which returns to its maker, must certainly live on thanks to his

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indelible contributions to this society.

In New Zealand, there is a type of tree that lives for hundreds of years called the totara. When a great man dies, the Māori people of New Zealand say that the mighty totara has fallen, and I got that example from his family in speaking to them, the mighty totara has fallen. Yesterday evening, I chatted with Simone on how admired and appreciated her husband was. It turns out that he was not perfect, and just like everyone on this planet, that great man was actually not great at everything. He loved the ocean and boating, but boating did not always love him in return. Indeed, she told me that on his very first day out on the water with his boat, somehow the jetty got in the way. Thankfully, no lives were lost in the incident. And then they were out at sea on another occasion and observed a stranded fisherman whose engine had actually fallen off into the water. Always one to help, Michael offered to tow the little pirogue to safety. So a long rope was used to tie the fisherman's boat behind de la Bastide's boat, and all went well until Michael abruptly and accidentally went full throttle causing the fisherman to flip off of his boat into the air, somersaulting and landing into the water. Thankfully, again, no lives were lost. But maybe this was the great de la Bastide reminding us that he was human and not perfect at everything, though legend has it that he eventually got the hang of boating.

In his last days, Michael lost his vision but with a deep sense of faith, love and support, he continued to navigate through life. His oldest and dearest friend, Boyd Reid, used to visit him and patiently read various books for him, four days per week, four books at a time; four days per week, four books at a time. Sadly, Boyd passed away one week before Michael left this earth.

Mr. President, on behalf of the Government of Trinidad and Tobago and on

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behalf of the Government Bench in the Senate, I say, thank you to Mr. Michael de la Bastide. Thank you as well to everyone that nurtured him, that supported him, admired him, prayed for him, protected him, defended him and believed in him along his earthly journey, and particularly to every member of his family, may they always find comfort in his memory and strength in his legacy, and may God rest his soul for all eternity. Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Mark.

Sen. Wade Mark: Thank you, Mr. President. Mr. President, on behalf of my colleagues on the front Bench, on behalf of the alternative government of the Republic of Trinidad and Tobago, we would like, on this occasion, Mr. President, to pay tribute to what we would like to describe as a noble gentleman, a scholar, a jurist extraordinaire, not only here in Trinidad and Tobago but regionally and internationally. The former Right Honourable Chief Justice graced this august House, in his wisdom, as a Senator. Michael de la Bastide's sunrise was on the 08 July, 1937, and sunset was on 30 March, 2024. He was an outstanding lawyer. He was this country's Chief Justice from 1995 until 2002.

10.30 a.m.

The late Chief Justice Michael de la Bastide was Crown Counsel in the Office of the Attorney General and Legal Affairs of Trinidad and Tobago from 1961 until 1963. Mr. President, in 1975 he became a Queen's Counsel at the age of 38 years. He served as an Independent Senator from 1976 to 1981, in the Senate where we are located. He was also the President of the Law Association of Trinidad and Tobago from 1987 until 1990, prior to his appointment as Chief Justice in 1995. Mr. President, in 2005, he was sworn in as President of the Caribbean Court of

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Justice until his retirement in 2011. Indeed, Mr. President, the Republic of Trinidad and Tobago has lost a noble gentleman of this nation, whose wisdom has contributed immensely to nation building in the Republic of Trinidad and Tobago.

We on this side of the House wish to extend to the family, the bereaved family of the late Michael de la Bastide, our very deep and sincere condolences in this period of grief and sorrow as they mourn his loss and passing. Mr. President, may his soul rest in peace, eternal peace, and may his soul rise in perpetual glory. We say farewell to the former Chief Justice of the Republic of Trinidad and Tobago, and the first President of the Caribbean Court of Justice. Thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Vieira.

Hon. Senators: [*Desk thumping*]

Sen. Anthony Vieira SC: Mr. President, former Chief Justice, the right honourable Michael Anthony de la Bastide TC, holder of the Trinity Cross, Privy Counsellor, King's Counsel, Master of Arts from Oxford University, was one of the finest legal minds this country has produced.

Michael was a force of nature. A St. Mary's College old boy, he won an island scholarship and then secured a double first at Oxford. In his heyday, he was the undoubted leader at the Bar. Among his many achievements, he had the distinction of serving on both the Wooding Constitution Commission, "Thinking Things Through" and the Hyatali Constitution Commission, "Thinking Things Over". Michael served as an Independent Senator for five years from 1976 to 1981. He served as the President of the Law Association for three terms between 1987 to 1990. Internationally, Michael was the bench of Gray's Inn, a Fellow of

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the Society for Advanced Legal Studies and he sat as a member of the Privy Council.

Michael worked tirelessly for the development of judicial education, judicial independence and jurisprudence in this country. He was a distinguished Chief Justice, jumping to that position straight from the Bar, and then making signal improvements to the Judiciary's administration, and as you have heard, he was the first President of our Caribbean Court of Justice.

Michael was a man of principle who believed in justice and who lived in what he believed. Though brilliant, he was never vain or boastful. There can be no gainsaying the fact that his proud son of the soil has rendered yeoman service to his beloved country.

Significantly, Michael de la Bastide was not one dimensional. The man had many interests including a passion for bridge and a love for sport, in particular field hockey and tennis. He enjoyed a good fete and playing mas. Indeed, and this is before of course he became a judge, tales about his joie de vivre at Carnival time were legendary. He had the amazing capacity to both work and play hard. Most of all Michael had heart. He loved life, his family and he was devoted to this beautiful land of ours. He lived life to the fullest. Michael represents the best of what Trinidad and Tobago can offer. We should be proud of him, we should celebrate him and we should honour his legacy.

On a personal note, I can say that Michael de la Bastide TC is the reason I decided to pursue a career in law. He was my pupil master and he presented my petition of call to the Bar. At a critical time when I was at a crossroad of having to choose between pursuing further education or practising at the Bar, it was the rare privilege of seeing Michael de la Bastide on his legs at the Bar Table, watching his

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logical mind at work as he crafted pleadings and hearing him make submissions in court so eloquently and powerfully, that decided the matter for me. Doing research and settling drafts for Michael could be very humbling. Your script would be returned with lines running right through every part that he considered unacceptable with little scribbling notes and annotations offering guidance. He was a stickler for language.

Sitting behind Michael de la Bastide TC as he engaged in forensic battle with the likes of Tajmool Hosein, Bruce Procope and Ewart Thorne was intoxicating and inspiring. He commanded the courtroom with his gravitas. Michael de la Bastide was truly a lion at the Bar. Today, that mighty roar has fallen silent, but the memory of it will resonate for years to come.

On behalf of the Independent Bench, we claim Michael de la Bastide TC as one of our own, and we offer sincere and deepest condolences to those who were closest and dearest to him. I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Hon. Senators, I too would like to pay tribute to Justice Michael de la Bastide, a man of progressive ideology and a true example of patriotism. Justice de la Bastide was appointed an Independent Senator in the First Republican Parliament from 1976 to 1981. During his short parliamentary career, he sought to demonstrate how persons elected to the Houses of Parliament could use their platforms to give credibility to significant international, regional and domestic matters of public interest.

Hon. Members, Justice de la Bastide made contributions to several debates throughout his tenure in the Senate and never refrained from giving voice to the minority perspective. During the cut and thrust of a debate in the Senate on the

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Pleasure Boats Bill in 1977, Justice de la Bastide noted, and I quote:

We should be debating things like housing, one of the most intractable and urgent problems that is besetting the country.

This brief quote is evidence that Justice Michael de la Bastide TC always championed pressing issues of the day, whether or not these issues were popular ones.

Another cause in which he was invested, was the preservation of the institution of Parliament and its representation role. This was made apparent during his contribution to the Guarantee of Loans (Companies) Act 1978, in which Justice de la Bastide TC brought the following message into focus, and I quote:

We live in a time, if I may suggest so, when Parliament is very much on trial in the minds of the people of this country and I for one would like to see this institution preserved.

Furthermore, hon. Senators, his fervour to advance his country and its social institutions was also evident from his 20-year membership on the board of management of the St. Dominic's Children's Home. Indeed, Justice de la Bastide was passionate about democracy, but his most significant achievements were born from his undying commitment to law and jurisprudence. He was appointed Chief Justice of Trinidad and Tobago by the then President of the Republic, Mr. Noor Hassanali on May 31st, 1995. Justice de la Bastide TC was shortly thereafter awarded Trinidad and Tobago's then highest national honour, the Trinity Cross in August 1996. His many accolades speak to the time, talent and treasures he dedicated to the development of the legal discipline in Trinidad and Tobago, and the wider Caribbean. From Crown Counsel to Chief Justice and President of the Caribbean Court of Justice, the legal fraternity has undoubtedly enjoyed privilege

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of his many brilliant contributions.

I take this opportunity to express my deepest admiration and respect for Justice de la Bastide's significant accomplishments. I also wish to extend sincerest condolences to the de la Bastide TC family during their time of bereavement, on behalf of myself, my family and all the Members of the Senate gathered here today. I pray that the Almighty grants them strength, peace and consolation during this difficult time. I now ask that we stand and observe a minute of silence as a mark of respect.

The Senate stood.

Mr. President: Hon. Senators, I hereby instruct the Clerk to convey our deep condolences and kind sentiments to the family of the late Mr. Michael de la Bastide.

10.45 a.m.

CONDOLENCES

(JUSTICE AMRIKA TIWARY-REDDY)

Mr. President: Hon. Senators, former Sen. Justice Amrika Tiwary-Reddy, retired, passed away on Saturday April the 6th, 2024. I now invite Members to offer tributes. Minister in the Office of the Attorney General.

Hon Senators: [*Desk thumping*]

The Minister in the Office of the Attorney General and Ministry of Legal Affairs (Sen. The Hon. Renuka Sagramsingh-Sooklal): Mr. President, it is only right that today we pay tribute to a phenomenal women, a trailblazer, Amrika Tiwary-Reddy. On January 30, 1946, a remarkable soul entered this world and embarked on a journey that would leave an indelible mark on the legal and political landscape of Trinidad and Tobago.

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(Justice Amrika Tiwary-Reddy.)

Sen. The Hon. R. Sagramsingh-Sooklal

In our tradition and in Hinduism the symbol for power and energy and strength is female. In Hinduism we believe that there is no “Shiva without Shakti”. In other words, the feminine aspect of power is needed for creation and completeness. Why do I mention this, Mr. President, I mention this because the role of women has definitely changed over the last few decades.

Ms. Tiwary-Reddy, is an epitome of women empowerment especially given the era in which she excelled. In an era where Lakshmi Girls’ Hindu College shaped the educational landscape especially with it being the first Hindu college to be established in Trinidad. It was an era where women’s rights were put on the back burner, it was an era where terms like gender equality, gender bias, and the right to education were a stranger to many. In an era where Trinidad and Tobago was approximately a year after becoming a republic, Ms. Tiwary-Reddy certainly propelled women, East Indian women, and more particularly Hindu women.

She stands as the beacon of inspiration for her community work and her relentless pursuit for societal betterment. The rise in her political career and her legal career took place at a time where women felt unseen and unheard in meetings. It took place at a time where the political representation of women in Parliament was few and far between.

Amrika Tiwary-Reddy, dedicated her life to serving her country in various professional and political capacities from an early age. At just 18 years old she was appointed as the first principal of Lakshmi Girls’ Hindu College. This holds great personal significance for me, Mr. President, as it is not only my alma mater but also a place of academic legacy shared by my mother. I am proud to know that it was her leadership, vision and dedication which played a vital role in setting the tone and direction for the institution, as well as shaping the culture and success of

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the school, my school.

She transitioned from Lakshmi Girls' Hindu College, and pursued her degree in law, a decision Trinidad and Tobago would greatly benefit from. During the years 1969 to 1981, Amrika Tiwary-Reddy, dedicated herself to the service of our beloved country. She served in the Attorney General Chambers, beginning as a State Counsel and worked her way up to the position of Assistant Solicitor General. Ms. Tiwary-Reddy also had a rich private practice, which began in 1981, focused on civil and family litigation, and greatly contributed to the shaping of legal minds of our nation, as a lecturer or in civil procedure, and trial advocacy at the Hugh Wooding Law School.

Her ever presence in public service continued as she served as a Member of the Cabinet-appointed Public Service Review Task Force, and of the Council of the Bar Association of Trinidad and Tobago from 1982 to 1986. Justice Tiwary-Reddy undoubtedly left her mark on the legal fraternity as she served as Vice-President of the Bar Association of Trinidad and Tobago from 1985 to 1986, and as a Member of the Disciplinary Committee of the Law Association of Trinidad and Tobago from 1992 to 1995.

In her effort to influence and enact change at various of levels of our society, Justice Tiwary-Reddy, grasped the opportunity to service as a Senator under the National Alliance for Reconstruction, the (NAR) Administration, during the Third Republican Parliament from 1987 to 1981. This stint would see her act even as the Attorney General on several occasions. She also served as a Chairman of several select committees of the Senate. Justice Tiwary-Reddy's judicial career was equally as impressive.

Appointed as a Puisne Judge in 1998, she served on the High Court until her

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retirement—in the High Court, sorry, until her retirement in 2011, when she was the most senior female judge on the bench. In 2012 Justice Tiwary-Reddy was awarded the Chaconia Medal Gold, the second most prestigious national honour, acknowledging her many years of exemplary service to Trinidad and Tobago in the field of law.

Beyond her professional achievements, Justice Tiwary-Reddy was also a devoted member of the Hindu community. A founding member of the Hindu Women’s Organization of Trinidad and Tobago, and a beloved radio talk show host. Her impact extended beyond the courtroom touching the lives of all those she encountered. Even though she choose to take a step back from her role as a Hindu women’s activist, upon being appointed as a judge, recognizing the importance of maintaining impartiality in the Judiciary, this decision exemplified her dedication to professionalism and integrity.

However, she always made sure to show her support for Hindu women in any way possible. When Trinidad and Tobago welcomed its first state recognized female pundit, Justice Tiwary-Reddy took the opportunity to deliver the feature address at that ceremony. Additionally, when she got married she made sure to include the female pundit in the ceremony standing alongside the male family pundit. Her courage in challenging the traditional way of doing things makes me proud to stand tall as a women, as a Hindu woman, in this modern world.

On April 06, 2024, Amrika Tiwary-Reddy bid farewell to this world, leaving behind a legacy of excellence, compassion, and service. Her memory will forever be cherished by those who had the privilege of knowing her, and her contributions to Trinidad and Tobago will never be forgotten.

The Government of Trinidad and Tobago therefore offers its heartfelt

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condolences to the family and the friends of Mrs. Amrika Tiwary-Reddy. Ma'am, you may have left us, but your sprit will continue to inspire generations to come. Rest in peace. *Om Sadgati*. Thank you, Mr. President.

Hon Senators: [*Desk thumping*]

Mr. President: Sen Lutchmedial-Ramdial.

Hon Senators: [*Desk thumping*]

Sen. Jayanti Lutchmedial-Ramdial: Respected, humble, and trailblazer, just a few of the description used to describe a women of class, integrity, who gave her life to public and community service. Trinidad and Tobago owes a debt of gratitude to now deceased Justice Amrika Tiwary-Reddy.

She was a women I had the pleasure of meeting as a teenager, who instantly impressed me with her ability to carry intelligent conversation, culturally rooted values, and to blend all of it together in the embodiment of humility and devotion to family. Her class and simplicity was something that could impress anyone in any walk of life in Trinidad and Tobago. Before becoming a very respected jurist and shattering several glass ceilings, Madam Justice Amrika Tiwary-Reddy stepped forward in a brave and bold move to become the first principal of Lakshmi Girls' Hindu College at the very tender age of just 18 years old.

10.55 a.m.

She served that institution well before moving on to pursue her career in law, being called to the Bar of the United Kingdom in 1968, and one year later being called to the Bar of Trinidad and Tobago. Madam Justice Tiwary-Reddy, who also resided in Canada for a short period of time, had also been called to the Bar of British Colombia and practised in that jurisdiction for a period of time.

Madam Justice Tiwary-Ready gave a life of service, serving for 12 years in

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the Office of the Attorney General, moving from the position of State Counsel, and leaving that office as an Assistant Solicitor General. Thereafter, she had a very reputable, well-known private practice in which she served members of her community. Whilst maintaining her private practice, Justice Tiwary-Ready was also known for her work in community service.

During the period of 1987 to 1981, she broke several gender and cultural barriers, becoming a Senator, a Government Senator, under the administration of the National Alliance for Reconstruction. During that period of time, she had the distinction of becoming the first woman to act in the role of Attorney General, something that we have grown accustomed to, but in those days, it was something of a novelty and it was truly a distinction and an honour that she will carry for all of eternity. Between the period 1998 to 2011, Justice Amrika Tiwary-Reddy served as a puisne judge in the Judiciary of Trinidad and Tobago.

Those who had the distinction and privilege of practising before her, remember her as a fair, measured, always simple, elegant, well-spoken jurist, someone who believed in the administration of justice. Justice Tiwary-Ready fought for change. She did not believe that judges should not be permitted to practise when they demitted office. She asked for improvements in the terms and conditions for judges, always being a fierce advocate for what is right and what she believed to be in the best interest of the institutions of the State, having served at so many of them.

Justice Tiwary-Ready not only made time for public service as a judge, but also served and continued to serve after her retirement at the Trinidad and Tobago Fair Trade Commission, being, again, trail-blazing in an area of law that is not commonly known or who many persons are not well-versed in, in that area of

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competition law, seeking, of course, to promote best practises within our beloved Republic

In terms of her private life and her cultural activities, she was a founding member of the Hindu women's association, as well as a member of the Hindi Foundation, the Hindi Nidhi group in Trinidad and Tobago, promoting, of course, the use and preserving the Hindi language amongst persons of East Indian descent, and promoting the use of Hindi within our common dialect and in other ways within Trinidad and Tobago.

For all of her efforts and for living a life of service, Justice Amrika Tiwary-Ready was recognized with the second highest award in Trinidad and Tobago, the Chaconia Medal, Gold, in 2012 by the People's Partnership government.

She was always known for her humility, her professionalism, her grace and her dignity. Although she was not a biological mother, everyone can describe and speak to the motherly way, including many of her family members, her siblings, her nieces and her nephews who remember her nurturing disposition and the way she cared for all those around her

Today, on behalf of the Opposition Bench in this Senate, where Justice Amrika Tiwary-Reddy once stood tall and brave, representing women at a time when women were so under-represented in both the political and legal arenas, we say that we wish—we know that her legacy will continue to inspire greatness amongst young women and particularly those who wish to step into the field of politics. We are grateful to her for a life of service. We are grateful to her for being such an exemplar. We are grateful to her family for sharing her with this country, and we wish to offer them our heartfelt condolences as they grieve the

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loss of such an extraordinary individual. May her soul attain moksha and may she continue to shine in her legacy for Trinidad and Tobago as a woman of greatness. Thank you very much.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Thompson-Ahye.

Hon. Senators: [*Desk thumping*]

Sen. Hazel Thompson-Ahye: Thank you, Mr. President. Sen. Sagramsingh-Sooklal has said it all about Justice Tiwary's stellar career. Sen. Lutchmedial-Ramdial has spoken as well. So coming at the end of the pecking order, what am I to say? I speak what is personal, and I start by saying—modifying a quote to say: To be born a lady is an accident. To die one is an accomplishment.

I am very grateful for the privilege of having known Justice Tiwary-Reddy. I met her when she first entered private practice. Soon after she entered private practice, I myself joined in 1982 and she had been there the year before. And I am grateful to her because—and I have learnt a lesson from her to be kind to inexperienced counsel, not always young counsel but inexperienced counsel, because seniors, especially to women, are not always very kind, Mr. President. And I remember some of the female lawyers not being happy with me because I did not suffer through the period of diffidence because of my background. But you know, you could always—I always turned to her and I was able to speak with her. If I had a question, she was always there, and I always thought of her as someone with whom I had an affinity because like me, and I do not think I am mistaken, both of us had our navel string buried in San Juan, so we were the San Juan people.

I remember sometimes going home and looking to see if I would

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see her in her porch near to the Croisee so I could wave to her. She contributed a lot to the profession, and if one were to describe her, I would describe her as the epitome of grace, charm and generosity. When I hear the song, I do not know if it is a hymn one may call it, “Gentle Woman”—and I want to sing it but I fear that you may stop me, Mr. President:

“Gentle woman, quiet light,
morning star, so strong and bright,
gentle Mother, peaceful dove,
teach us wisdom; teach us love...”

—I think of Amrika Tiwary-Ready.

I last saw her on the 1st of December, 2023. I was at the Bar—Law Association dinner and awards function minding my business, and I looked across at two tables beyond and I said, “That is Amrika?” and I jumped up from the table and I went across to her, and we greeted each other like long lost sisters. And I was surprised to see her with the walking stick, and she stood with me and related to me a history of the illness that she had been going through. I had no idea because whenever I saw Mandavi, I would ask about her and I do not remember hearing that Amrika had been ill. So when I saw her and she related to me how she had been hospitalized and how she had been suffering, I really felt it in my heart, but yet I was shocked when I learnt of her death.

She was a wonderful, wonderful person, with one of the most beautiful voices I have ever heard. I loved her dearly, and I know that she is gone to a place where she deserves to have a good rest. I never told her that I loved her, but I did love her, and I really appreciated everything that she did for me personally, and I am sure that she would have done as much kindness, especially to the women in

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the profession. Thank you for the opportunity of speaking.

Hon. Senators: [*Desk thumping*]

Mr. President: Hon. Senators, I too would like to pay tribute to Justice Amrika Tiwary-. Appointed a Government Senator in the National Alliance for Reconstruction administration during the Third Republican Parliament of 1987 to 1991, Justice Tiwary-Ready lent her legal expertise to several parliamentary committees on which she served, including the Public Accounts (Enterprises) Committee and various select committees of the Senate.

Justice Tiwary-'s interests were indeed multifaceted and her career speaks to this professional versatility. She helped to build this country's legal profession by occupying several roles, including Assistant Solicitor General and then puisne judge. Recognition of her contributions to the development of the legal sphere was solidified in 2012, when she was awarded the Chaconia Medal, Gold.

Hon. Senators, not only was she deeply involved in law and jurisprudence, Justice Tiwary-Ready also poured her energies into various other noble endeavours. She served as a secondary school principal, a founding member of the Hindu Women's Organisation of Trinidad and Tobago, and a talk show host of a popular radio programme entitled *Panchayat*. Indeed, Justice Tiwary-Ready wore several hats with grace, skill and success, for which she will be gratefully remembered.

On behalf of myself, my family and all the Members of the Senate gathered here today, I wish to extend sincerest condolences to the family of Justice Amrika Tiwary-Ready during their time of bereavement, and I pray that the Almighty grants them peace during this trying time.

I now ask that we stand and observe a minute of silence as a mark of respect.

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The Senate stood.

Mr. President: May her soul rest in peace. Hon. Senators, an appropriate letter will be sent to convey our condolences to the family of the late Justice Amrika Tiwary-Ready.

**VISITORS
(DIPLOMATIC CORPS)**

Mr. President: Hon Senators, please join me in welcoming to this Senate the families of the members of the Diplomatic Corps who are seated in the public gallery. Welcome.

Hon. Senators: [*Desk thumping*]

**MISCELLANEOUS PROVISIONS (ADMINISTRATION
OF JUSTICE) BILL, 2023**

Bill to amend the Supreme Court of Judicature Act, Chap. 4:01 and the Criminal Procedure Act, Chap. 12:02 in relation to the place and time for sittings of a court and to provide for related matters, brought from the House of Representatives [*The Attorney General and Minister of Legal Affairs*]; read the first time.

11.10 a.m.

PAPERS LAID

1. Trinidad and Tobago Revenue Authority (Extension of Period) (No. 2) Order, 2024. [*The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne)*]
2. The Public Procurement and Disposal of Public Property (Simplified Procurement) Regulations, 2024. [*Sen. The Hon. Dr. A. Browne*]

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3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the College of Science, Technology and Applied Arts of Trinidad and Tobago for the financial year ended September 30, 2009. [*Sen. The Hon. Dr. A. Browne*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the College of Science, Technology and Applied Arts of Trinidad and Tobago for the financial year ended September 30, 2010. [*Sen. The Hon. Dr. A. Browne*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Proceeds of Crime Act, Chap 11:27 Seized Assets Fund Account for the year ended September 30, 2023. [*Sen. The Hon. Dr. A. Browne*]
6. Audited Financial Statements of the Water and Sewerage Authority for the year ended September 30, 2021. [*Sen. The Hon. Dr. A. Browne*]
7. Audited Financial Statements of the Water and Sewerage Authority for the year ended September 30, 2022. [*Sen. The Hon. Dr. A. Browne*]
8. Annual Report and Audited Financial Statements of First Citizens Depository Services Limited (formerly First Citizens Asset Management Limited) for the financial year ended September 30, 2023. [*Sen. The Hon. Dr. A. Browne*]
9. Annual Report and the Audited Financial Statements of the Heritage and Stabilisation Fund of the Republic of Trinidad and Tobago for the financial year ended September 30, 2023. [*Sen. The Hon. Dr. A. Browne*]
10. Annual Report and the Audited Financial Statements of the Central Bank of Trinidad and Tobago for the financial year ended September 30, 2023. [*Sen. The Hon. Dr. A. Browne*]

11. Report on the Management of the Seized Assets Fund for the financial year ended September 30, 2023. [*Sen. The Hon. Dr. A. Browne*]
12. Thirteenth Annual Report of the Police Complaints Authority for the period October 01, 2022 to September 30, 2023. [*Sen. The Hon. Dr. A. Browne*]
13. 2017 Annual Report on the Operations of the National Forensic DNA Databank Custodian Unit. [*Sen. The Hon. Dr. A. Browne*]
14. 2018 Annual Report on the Operations of the National Forensic DNA Databank Custodian Unit. [*Sen. The Hon. Dr. A. Browne*]
15. Annual Administrative Report of the National Maintenance Training and Security Company Limited for the year ended December 31, 2015. [*Sen. The Hon. Dr. A. Browne*]
16. Submission to the Competent Authority of ILO Convention No. 191 and ILO Recommendation No. 207 concerning Safe and Healthy Working Environment (Consequential Amendments) and ILO Recommendation No. 208 concerning Quality Apprenticeships. [*Sen. The Hon. Dr. A. Browne*]
17. Response of the Office of the Attorney General and Ministry of Legal Affairs to the First Report of the Joint Select Committee on National Security on an inquiry into the Criminal Justice System in Trinidad and Tobago to determine strategies to achieve greater efficiency and effectiveness. [*Sen. The Hon. Dr. A. Browne*]
18. Ministerial Response of the Ministry of Social Development and Family Services to the First Report of the Joint Select Committee on National Security on an inquiry into the Criminal Justice System in Trinidad and Tobago to determine strategies to achieve greater efficiency and effectiveness. [*Sen. The Hon. Dr. A. Browne*]

SPECIAL SELECT COMMITTEE REPORT**Miscellaneous Provisions (Trial by Judge Alone) Bill, 2023
(Presentation)**

The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC): Mr. President, I have the honour to present the following report as listed on the Supplemental Order Paper in my name:

Interim Report of the Special Select Committee of the Senate appointed to consider and report on the Miscellaneous Provisions (Trial by Judge Alone) Bill, 2023, Fourth Session (2023/2024), Twelfth Parliament.

JOINT SELECT COMMITTEE REPORT**Representation of the People (Amendment) (No.2) Bill, 2020
Presentation**

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, I have the honour to present the following report as listed on the Supplemental Order Paper in my name:

Interim Report of the Joint Select Committee appointed to consider and report on the Representation of the People (Amendment) (No. 2) Bill, 2020, Fourth Session (2023/2024), Twelfth Parliament.

Mr. President: Sen. Mark.

Hon. Senators: [*Desk thumping*]

URGENT QUESTIONS**NICU Infection Prevention and Control Protocols
(Launch of an Independent Investigation)**

Sen. Wade Mark: Thank you, Mr. President. To the hon. Minister of Health: Can the Minister indicate whether an independent investigation will be launched to determine what NICU infection prevention and control protocols were breached,

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that resulted in the deaths of seven babies between April 4th and 7th at the Port of Spain General Hospital?

Mr. President: Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. President.

Hon. Senators: [*Desk thumping*]

Hon. T. Deyalsingh: Mr. President, from the onset may I once again extend most sincere condolences to the families of those seven babies. In the statement I read out to the Lower House on Friday, I did indicate that an independent investigation will be launched. To that end, the Ministry of Health has already engaged the Pan American Health Organization to do same. I thank you very much, Sir.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, can I ask the hon. Minister, this independent investigation by PAHO, can the Minister indicate to this honourable House, the composition of this team from PAHO, which he claims is an independent team?

Mr. President: Minister of Health.

Hon. T. Deyalsingh: Thank you. As is—well I would not say customary, but what PAHO has requested is the information that we have. Based on the information that we have then they would determine the composition of the team to look into the specific areas of concern. So we do not have the composition as yet, it depends on the information and data we send to them and then they will determine what are the areas of specialty or concern and appoint the appropriate persons.

Mr. President: Sen. Mark.

Sen. Mark: Can I ask the Minister of Health, having regard to the doctrine of

ministerial accountability and responsibility in the context of the passing of these seven babies on the tragic circumstances, whether he is prepared to tell this Parliament when he will be tendering his resignation to the people of Trinidad and Tobago?

Hon. Senators: [*Desk thumping*]

Sen. Mark: Can I ask the Minister that question?

Mr. President: No you cannot. That question is not allowed Sen. Mark. Next question on the Order Paper.

Sen. Mark: To the outgoing Minister of Health—or I think that—

Mr. President: Sen. Mark.

Sen. Mark: I think that is Sen. Jayanti, the second question, Sir.

Mr. President: “Or hor”, Sen. Lutchmedial-Ramdial.

Sen. Mark: Sorry, Sir, sorry, Sir.

**Death of Seven Babies at the POS NICU
(Medical Notes/Records Requested)**

Sen. Jayanti Lutchmedial-Ramdial: Thank you, Mr. President. To the Minister of Health: Can the Minister advise whether the parents of the seven (7) babies who died in the NICU at the Port of Spain General Hospital have been provided with the medical notes and records requested from said hospital?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much. Yes, to Sen. Lutchmedial-Ramdial and the wider public, I am advised by the officials at North West RHA, those files are currently, as we speak, being copied and hopefully the parents will have their copies by the end of the day or by tomorrow for the latest. That is what my advice is.

Mr. President: Sen. Lutchmedial-Ramdial.

Sen. Lutchmedial-Ramdial: Thank you, Mr. President, through you, has the

Ministry of Health intervene since becoming aware of the situation that occurred given that up to 4.00 p.m. yesterday there was no response to the pre-action correspondence that—has the Ministry intervene to ensure that there has been no tampering, altering or destruction of the medical records.

Mr. President: So Sen. Lutchmedial I am hearing about two or three questions inside there, you need to truncate that and be very succinct in the question that you are asking.

Sen. Lutchmedial-Ramdial: Has the Ministry of Health intervened or taken any action to ensure that there has been no tampering, altering or destruction of the medical notes, which has occurred to ensure that the records are preserved and properly presented to the parents, given the effluxion of time since the request has been made?

Mr. President: So that question does not arise. Sen. Lutchmedial-Ramdial. Next supplemental.

Sen. Lutchmedial-Ramdial: Given that as has been reported in the newspaper, the parents have also requested that records dating back as far as January 2024, in relation to deaths that have occurred at the NICU, is the Ministry of Health prepared to intervene to ensure that this information is disclosed and provided to the parents?

Mr. President: Minister of Health.

Hon. T. Deyalsingh: Whatever information needs to be disclosed on the advice of the attorneys, will be disclosed.

Mr. President: Sen. Mark.

**Barrackpore East Secondary School
(Status Report on Death Threats)**

Sen. Wade Mark: To the hon. Minister of Education: In light of death threats

made to teachers and students of Barrackpore East Secondary School can the Minister provide a status report on any investigation into these threats?

Mr. President: Leader of Government Business.

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, in every instance of threats being leveled against any school, which is happening too often in our society, the Ministry of Education seeks the immediate guidance and involvement of the Trinidad and Tobago Police Service. The Ministry of Education cooperates fully, provides all pertinent information and operationalizes any and all security plans and advice received.

With respect to the investigations, however, such matters fall squarely within the remit of the Trinidad and Tobago Police Service and not the Ministry of Education. And the Ministry of Education is not authorized to speak on behalf of any investigative details. The Ministry of Education continues to work closely with the Trinidad and Tobago Police Service to ensure the security and safety of all students and staff members at all of our nation's schools. Thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, may I ask, through you to the hon. Minister, why hon. Minister, in light of these grave threats to the life and limb of students and teachers, that the Ministry of Education has not taken any measures to shut down this particular school in order to safeguard the lives of both students and teachers.

Mr. President: Leader of Government Business.

Sen. The Hon. Dr. A. Browne: Mr. President, as I took care to carefully enunciate and illuminate, the Ministry of Education cooperates fully and provides all information, and operationalizes any and all security plans and guidance received from the Trinidad and Tobago Police Service that applies in the instance

of this threat and any other incident related within the education sector. Thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Mark.

Sen. Mark: In light of the fact that the Ministry of Education received the death threats from the police since Sunday, could the Minister indicate, in light of receipt of that particular threat, what action, if any, was taken by the Ministry to ensure that children and teachers were not present at the school on Monday and on Tuesday respectively. Can I ask, Mr. President, through you to the hon. Minister, to clear the air on this matter?

Mr. President: Minister.

Sen. The Hon. Dr. A. Browne: Mr. President, that has already been responded to. The Ministry of Education has operationalized and will continue operationalize all the security plans and guidance as received by the Trinidad and Tobago the Police Service. All measures have already been taken with response to this particular incident and other similar incidents. In the particular circumstance, threats were received via email, which were taken seriously, a series of actions were undertaken and the Ministry of Education is not authorized to deliver any details on the substance of those ongoing investigations. Thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

ANSWERS TO QUESTIONS

Mr. President: Leader of Government Business.

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, with respect to questions for oral response, the Government is prepared to answer questions No. 27, No. 41, No. 53, No. 55, No. 88, No. 89, No. 90, No. 91, No. 93 and No. 94, which is 100 per cent of the

questions for oral response on the Order Paper.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: With respect to questions for written response, the Government is prepared to circulate answers to questions No. 81, No. 82, No. 83, No. 85, and No. 86 and we request a deferral of two weeks on question 64 for written response. Thank you, Mr. President.

Sen. Mark: Mr. President, may I ask—

Mr. President: So Leader of Government Business, the deferral that you are requesting on that particular question has already been deferred at an earlier stage. Sen. Mark, you had something to say?

Mr. President: Yes. I cannot remember the exact—I think it is Standing Order 27(16). I seek to invoke Standing Order 27(16) of the Senate Standing Orders in respect of question No. 64, hon. President.

Mr. President: Okay. So Sen. Mark, your request is so noted and that Standing Order will be actioned.

Sen. Mark: Thank you, Sir.

Mr. President: Sen. Mark.

Sen. Mark: Thank you, hon. Mr. President.

WRITTEN ANSWERS TO QUESTIONS

Commercial Water Companies (Details of Licences Granted)

81. Sen. Sunity Maharaj asked the hon. Minister of Public Utilities:

Given ongoing disruptions in the water supply to domestic users and the projection of a drier-than-usual dry season, can the Minister provide a detailed list of the commercial water companies that have been granted licenses to abstract water from surface, ground and coastal water sources,

including the following information:

- (i) the dates of the award of each licence;
- (ii) the duration of each licence;
- (iii) the daily quota of water permitted for abstraction by each company;
- (iv) the rate applied to each company and the formula used to determine each rate;
- (iv) the total annual volume of water abstracted by each company for the period 2010 to 2023 and the associated annual revenue accrued to the Water and Sewerage Authority;
- (v) the status and reliability of installed equipment for monitoring water abstraction by each company; and
- (vi) details of the policy for adjusting the water quotas of commercial water companies during periods of drought and other disruptions in the public water supply?

**Orange Grove National Company Limited
(Update on Lands Owned)**

82. Sen. Sunity Maharaj asked the hon. Minister of Minister of Agriculture, Land and Fisheries:

Will the Minister please provide an update on the 1,282.1073 hectares of land formerly owned by the Orange Grove National Company Limited indicating the following:

- (i) the acreage of land that has been leased or otherwise disposed of;
- (ii) the names of the individuals and/or companies to which said parcels of land have been leased or otherwise disposed of;
- (iii) in each case identified at (ii), the acreage of land involved, the land use conditions attached, the duration of the lease, the rate applied and

the conditions for transfer of the leases to other parties or the use of property by other parties;

- (iv) whether any of the leased land is being used for purposes other than that stipulated by the relevant leases;
- (v) the percentage of the 1,282.1073 hectares that is currently used for agricultural production by the State
- (vi) the production output of the percentage of land identified at (v); and
- (vii) the Government's plans, if any, to use the unleased land or any part thereof for purposes other than agriculture?

**List of Student Relocation to Alternative Facilities
(Government and Government-Assisted Schools)**

83. Sen. Sunity Maharaj asked the hon. Minister of Education:

Can the Minister provide a detailed list of all Government and Government-assisted schools whose students have been relocated to alternative facilities including the following:

- (i) the current number of students relocated in each affected school;
- (ii) the reason(s) for the relocation of each student;
- (iii) the facilities to which students have been relocated;
- (iv) the respective dates of relocation;
- (iv) the scheduled date for the resumption of classes at the affected schools; and
- (v) an explanation in each case identified at (iv) where there is no scheduled date?

**Criminal Injuries Compensation Board
(Details of)**

85. Sen. Sunity Maharaj asked the hon. Minister of National Security:

In relation to the Criminal Injuries Compensation Board, can the Minister

provide the following information:

- (i) the current composition of the Criminal Injuries Board;
- (ii) the annual number of applications for compensation received by the Board since its inception;
- (iii) the number of victims of crime who have been granted financial compensation since its inception;
- (iv) the annual sums of compensation paid to the recipients identified at (iii);
- (v) the crimes committed against the victims identified at (iii);
- (vi) the geographical distribution of recipients?

**Gender Diversity of Public Sector Boards
(Details of)**

86. Sen. Sunity Maharaj asked the hon. Minister in the Office of the Prime Minister – Gender and Child Affairs:

With regard to the gender diversity of Public Sector Boards, including State Enterprises, Service Commissions, Statutory Authorities and other bodies, can the Minister provide the following:

- (i) a breakdown by gender of each Board; and
- (ii) an outline of the Government's gender policy that guides appointments to Public Sector boards?

Vide end of sitting for written answers.

11.25 a.m.

ORAL ANSWERS TO QUESTIONS

**Trinidad and Tobago Prison Service Gathering
(Details of Established Firearm Protocols)**

27. Sen. Wade Mark asked the hon. Minister of National Security:

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Given reports that two (2) firearms belonging to the Trinidad and Tobago Prison Service were seen hanging from a tree during a social gathering at Chacachacare, can the Minister indicate what are the established protocols and operating standards employed in such circumstances?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Mr. President. The use of firearms by prison officers is guided by the Firearms Act, Chap. 16:01 as amended, and the Trinidad and Tobago Prison Service Firearms Policy as outlined by General Order No. 91 of 2016. This policy sets out the prison services firearm users protocols which governs inter alia procedures for storage of firearms and ammunition issued to prison officers while at work, at their respective residences, during travel, and when conducting their affairs and carrying firearms in public.

With respect to the particular “social gathering” as suggested by the Senator, it should be noted that based on information received from the Commissioner of Prisons, the event was an internal pre-planned prison officers only, and in one case an authorized person. It was that type of affair that was held in a secluded limited access, high security zone that had undergone a thorough security sweep prior to its occupation by prison officers on that occasion. Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

Sen. Mark: Mr. President, having regard to the response given by the Minister of National Security, can the Minister indicate given this thorough security sweep that took place, can the Minister explain why these firearms belonging to the Trinidad and Tobago Prison Service were seen hanging from a tree during this said social gathering? If all this security sweep was conducted, Mr. President, can the Minister indicate why this thing went viral and Trinidad and Tobago saw these two weapons and so on, on display?

Hon. F. Hinds: It is precisely for the reasons as I have stated that it was possible for an individual in possession and control of a firearm to have placed it close to him—of course, what the society saw was an element of a video that someone might have shared. But at all times, Mr. President, those firearms were in the control of the officers to whom they were lawfully issued, especially given that possession can be actual and/or constructive but controlled nonetheless.

Sen. Mark: Mr. President, given the clear breaches that have occurred and the confession made by the hon. Minister to this honourable Senate, can the hon. Minister indicate whether the Government intends to launch an independent investigation into this matter?

Hon. F. Hinds: Mr. President, I really fear—I perish the thought of descending into banality. I have given a clear answer. I know where the Senator operates, but I have given a very clear answer and his suggestion is therefore as invalid as the thoughts that drive them. Thank you.

Sen. Mark: Mr. President, this is a very serious—in light of this development in which the protocols governing firearms were breached, can the Minister indicate to this honourable Senate whether any action has been taken to deal with the particular individuals whose firearms were clearly on display in contravention to well-established protocols?

Hon. F. Hinds: Mr. President, the suggestion by the hon. Senator is bald. The Senator is calling for an investigation and in the same breath is telling this honourable House that there was a breach. You see why I am afraid of banality, Mr. President. I could say no more.

Sen. Mark: Because you are afraid of incompetency. That is what you are afraid of.

Mr. President: Sen. Mark, ask the question please.

Sen. Mark: Mr. President, you understand why this country is in the state that it is in today under this rudderless—

Hon. Senators: [*Desk thumping*]

Sen. Mark:—leaderless,

Mr. President: Sen. Mark.

Sen. Mark:—Minister.

Mr. President: Sen. Mark, have a seat. You have a final supplemental on this question, please ask it.

Sen. Mark: With due respect, I would ask this Minister to leave this Chamber and I will proceed to the next question.

Hon. Senators: What? [*Crosstalk*]

Mr. President: Members. Members. Members. Sen. Mark, as you are well aware, the authority to do such lies with me and only with me.

Hon. Senators: [*Desk thumping*]

Mr. President: I will ask you—Sen. Mark, I will ask you again, you have a fourth supplemental, ask it. No supplemental?

Sen. Mark: No supplemental.

Mr. President: Next question on the Order Paper, Sen. Mark

Sen. Mark: That is why I proposed what I did.

Mr. President: Next question on the Order Paper.

Sen. Mark: Mr. President, is it question No. 41, Sir?

Mr. President: Yes, that is right.

Chairman of National Gas Company

(Details of Remuneration)

41. Sen. Mark asked the hon. Minister of Energy and Energy Industries:

As regard the current Chairman of the National Gas Company (NGC) and

the remuneration arrangements for his chairmanship of the company, its subsidiary companies and its associated/investment companies, can the Minister provide the following:

- (i) the total monthly board fees paid to the Chairman;
- (ii) the total amount of money spent on Chairman's overseas travel by the NGC, its subsidiaries and associated/investment companies since his appointment;
- (iii) the qualifications of the Chairman?

The Minister of Energy and Energy Industries and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. President. Mr. President, all of NGC's directors including its chairman are paid fees and allowances in accordance with the State Enterprises Performance Monitoring Manual. As a result, NGC's chairman is paid the following fees and allowances in relation to the A and C companies which make up the NGC group of companies, and in respect of which he has been appointed to serve as chairman. Three A companies \$10,000 a month, travel allowance of \$1,000 per month. Thirteen C companies fees, \$6,500 a month, \$1,000 a month travel allowance.

With respect to part (ii) of the question, the total amount of money spent on the chairman's overseas travel by the NGC, its subsidiaries and associated investment company since its appointment is \$30,414.09 US currency.

With respect to the third part of the question, the chairman of the NGC is a holder of a doctorate in Business Management from the Australian Institute of Business and a Master's Degree in Business Administration from the Henley Management College in United Kingdom, among numerous other professional certificates and diplomas from respected institutions in engineering, project management and other fields of expertise. He is also a member of the Project

Management Institute which is the world's most recognized project management certification and a Fellow of the American Academy of Project Managers. His full list of qualifications will be circulated to the hon. Members of this House.

Sen. Mark: Through you, Mr. President, can I ask the Minister of Energy and Energy Industries if he can provide this Senate with a breakdown of the travels of this honourable gentleman during the period under review? We get a breakdown of some, I think he said was—it is 30 or 80?

Hon. S. Young: 30.

Sen. Mark: US \$30,000.

Mr. President: So you want a further breakdown of what he stated?

Sen. Mark: Yes. If the hon. Minister can share that with us.

Hon. S. Young: The answer is yes, that can be provided.

Sen. Mark: Minister, can you provide, as we are in this Chamber, a tight summary of the overseas travels of this said gentleman?

Hon. S. Young: Yes I can. For NGC there was travel to Barbados on the 5th of June, 2023, an in-country board meeting which is required in accordance with the Barbados companies' law. That was US \$699.

Under NGC, again there was travel to Amsterdam between the 10th to the 12th of July, 2023 for IIA 2 Conference 2023. That was US \$12,877.72.

For PPGPL there was a visit to Phoenix Park Energy Marketing LLC office, which is an American company that PPGPL acquired the ownership of that is doing quite well. He went to visit the staff at the Hull terminal and a meeting with key clients with a view to negotiating the amicable resolution of a potential claim. That cost US \$2,727.

There was a visit to Phoenix Park Energy Marketing Limited. Again another entity acquired in United States as part of the diversification by the NGC group

outside of Trinidad and Tobago. That was done and that cost US \$4,047.96.

For national energy there was travel to Guyana for an in-country board meeting required in accordance with the Companies Law of Guyana for US \$1,925.59.

Travel of Surinam for engagement with Government representatives with a view to establishing cross border synergies and perusing renewable energy project opportunities again diversification by the group for US \$2,493.39.

Then there were the energy conferences in both Guyana and Surinam. For Guyana it was US \$3,704.37, and for the energy conference in Surinam US \$1,939.06.

Sen. Mark: Can I ask through you, to the hon. Minister of Energy and Energy Industries? Can you advise this honourable Senate in the Government's thrust towards diversification, can you tell us in the United States, as you mentioned, can you share with us what tangible benefits we have been able to realize thus far from these efforts?

Hon. S. Young: Thank you very much for the opportunity. The NGC groups, two recent acquisitions, recent being if I remember correctly from the year 2019 under PPGPL have been what we call NGL acquisitions, and in particular the acquisition of a hull and terminal that deals with the distribution of LPG from the United States down into the markets not only of the United States but also of Mexico. The other terminal as well, the second investment, is related to that and these two investments into the United States economy that are now supplying both the United States as well as Mexico are providing the group through PPGTL with foreign exchange earnings, growth and opportunities outside of Trinidad and Tobago, and they are both direct successes of this Government's efforts with the NGC group to diversify outside of Trinidad and Tobago.

11.40 am

This is how this Government has invested the money of the people of Trinidad and Tobago through NGC as opposed to utilizing \$1 billion in cash for the Beetham WasteWater Treatment Plant and funding of SIS, which is a well-known UNC financier.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Mark.

Sen. Mark: You still have to talk about the \$10 million—

Mr. President: Sen. Mark—

Sen. Mark:—the Minister has engaged in.

Mr. President: Sen Mark, Sen Mark.

Sen. Mark: Sorry, Sir, I thought I was responding to him.

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

Hon. Senators: [*Interruption*]

Mr. President: Ministers. Sen. Mark.

Sen. Mark: Yes, Sir.

Mr. President: In order to ensure that there is efficiency in this process, I would advise once again, just stand and ask your supplemental.

Sen. Mark: Can I proceed to my other—

Mr. President: This is the forth supplemental on this question.

Sen. Mark: No, no, no, I am going—

Mr. President: Okay.

Atlantic LNG Restructuring Agreement (Details of)

53. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries:

With respect to the Atlantic LNG restructuring agreement, can the Minister advise as to the following:

- (i) when are the Atlantic Train 2/3 and 4 agreements and corresponding offtake contracts expected to end;
- (ii) when will the Atlantic Train 2/3 merger with Train 1 come into effect; and
- (iii) what would be the NGC's shareholding of the new merged entity mentioned at (iii)?

The Minister of Energy and Energy Industries (Hon. Stuart Young): Thank you very much, Mr. President. This question in relation to the successful restructuring of Atlantic LNG, which was concluded in December 2023—and I hasten to add it has never been done anywhere else in the world but this Government achieved it—

Hon. Senators: [*Desk thumping*]

Hon. S. Young:—after five years of negotiating on behalf of the people of Trinidad and Tobago, and the answer to the specific questions are as follows: as had been stated previously on several occasions, the commercial terms of the Atlantic Trains 2/3 and 4 agreements and corresponding offtake contracts are subject to non-disclosure agreements as is customary in the energy sector and cannot be disclosed.

Mr. President, for the people of Trinidad and Tobago to understand, if we were to disclose the pricing formulas and the structures of Atlantic LNG, it would immediately make Trinidad and Tobago's Atlantic LNG platform and complex uncompetitive in the world because the LNG is a global energy sector where there is constant competition for pricing and to secure contracts of supply.

The second part of the question, the answer is, the Atlantic Train 2/3 merger

with Train 1 comes into effect this year in October 2024.

And the third part is the initial shareholding of NGC, had the Government not done the restructuring, would have been 5.7 per cent because we are at 10 per cent in Train 1, 11.2 per cent in Train 4, nothing in 2 and 3. This Government of Trinidad and Tobago successfully negotiated across the whole board, Trains 1, 2/3 and 4. We will now have a 10 per cent shareholding, achieving a shareholding of an additional 4 per cent at no cost to the people of Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Hon. S. Young: And that is one of the benefits of the restructuring of Atlantic LNG for the future generations of Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, may I ask this distinguished travelling—well, this distinguished Minister. Can I ask this distinguished Minister, what sell-out arrangements did the Government engage in to move from 5.7 per cent to the 11 per cent ownership of this so-called new restructuring of the Atlantic LNG? Could you tell this country what sell-out arrangements you had to engage in to move from 5.7 per cent? You cannot stand whist I am standing—

Mr. President: Minister of Energy and Energy Industries, Minister of Energy Industries. Have a seat, Sen. Mark. Minister of Energy and Energy Industries.

Hon. S. Young: Thank you very much. Mr. President, it may surprise those on the other side, including Sen. Mark, to know that this Government did engage absolutely no sell-out.

Hon. Senators: [*Desk thumping*]

Hon. S. Young: This Government, starting with the energy spotlight conference that was held in 2018, declared to the major shareholders of Atlantic LNG, BP and

Shell that we wanted an increase in value for the citizens of Trinidad and Tobago. We then embarked on five very difficult and complex years of commercial negotiations, where we achieved not only better pricing—not singularly linked to Henry Hub, which today is at a \$1.71, whereas we are getting over \$3—

Hon. Senators: [*Desk thumping*]

Hon. S. Young:—an increase of over 40 per cent to 50 per cent. We also got third party access to gas and an additional shareholding for the people of Trinidad and Tobago, not for as much as a dinner mint, unlike what happened with NGC between 2010 to 2015 period, where the UNC specifically chose constituencies which to use SIS to build recreational grounds—

Hon. Senators: [*Desk thumping*]

Hon. S. Young:—to build the Beetham Wastewater Treatment Plant, to take \$16 billion of cash for the people of Trinidad and Tobago out to fulfil their fantasies and their political ambitions which led to a loss in 2015, where thankfully the people of Trinidad and Tobago returned sense and sensibility in a PNM Government and are today deriving the direct benefits of a competent, uncompromised, uncorrupted Government—

Hon. Senators: [*Desk thumping*]

Hon. S. Young:—the People’s National Movement, unlike those on the other side who that is what their tenure shows.

Mr. President: Sen. Mark.

Sen. Mark: Given the sell-out—

Hon. Senators: [*Interruption*]

Sen. Mark: Given the sell-out—

Hon. Senators: [*Interruption*]

Sen. Mark: Given the sell-out of the national interest by this corrupt, incompetent,

administration, Mr. President, I want to ask this distinguished gentleman—

Hon. Senators: [*Interruption*]

Mr. President: Sen. Mark, Sen Mark.

Sen. Mark:—the distinguished—

Mr. President: Have a seat, have a seat. So the supplemental questions being asked and the responses being given are starting to get a tad bit aggressive. So I am going to ask both sides to take it down a notch and get back to the procedure at hand, which is to ask your supplemental succinctly and on my right, respond to the supplemental succinctly. Continue, Sen. Mark.

Sen. Mark: Yes. Hon. President, may I ask the distinguished gentleman, Member of Parliament for Port of Spain North/St. Ann's West, whether the Government that was supposed to get back some \$100 billion from BP and Shell because of the transfer pricing mechanism which robbed this country according to reports—

Mr. President: Sen. Mark, what is the question? What is the question, Sen. Mark?

Sen. Mark: The question is, can the Minister indicate why did this Government fail to receive from those two companies, Shell and BP—

Mr. President: So, Sen. Mark, you do not even need to finish the question. That question does not arise. Do you have another supplemental?

Sen. Mark: Yes. Mr. President, the sell-out of the interest of this country—let me just ask the hon. Minister, can the Minister confirm or deny that in their sell-out arrangement, they actually extended the licence of the Atlantic LNG, which had expired to 30 years, and to give them another 15 years—

Mr. President: So, Sen. Mark—

Sen. Mark:—which will give them 40 years—

Mr. President:—once again—have a seat, have a seat.

Sen. Mark:—can the Minister confirm or deny—

Mr. President: Have a seat, Sen. Mark.

Mr. Imbert: [*Inaudible*]

Mr. President: Again—Minister of Finance. Sen. Mark, please make your question succinct. There is too much rambling in between the actual question itself.

Sen. Mark: Thank you, Mr. President, I am guided by your ruling. Can I ask the hon. Minister, the sell-out arrangements that have taken place, can the Minister confirm or deny whether the Government granted to Atlantic LNG an extension of its licence, which expired for 30 years, and in the agreement, agreed to an additional renewal of 15 years, giving Atlantic LNG a total period of 40 years to further exploit the resources of Trinidad and Tobago? That is the question we want to put to the hon. Minister.

Mr. President: Minister.

11.50 a.m.

Hon. S. Young: Thank you, Mr. President. The restructuring of Atlantic LNG is obviously to give further life to Atlantic LNG. So for example, Train 1, the liquefaction licence expired in 2018, so that brings to an end Train 1 unless it is extended. Additionally, Trains 2 and 3, the licence, the original licence expires in October of this year. So is it that the UNC's energy policy is to let Trains 2 and 3 just wither away and not continue when there is a lot of life left in it? Well what this Government did is restructured it and yes, we have granted extensions but with additional revenue terms, additional shareholding, additional access to third party gas and a better structure for the people of Trinidad and Tobago for Atlantic LNG—

Hon. Senators: [*Desk thumping*]

Hon. S. Young: —which will continue to provide for the future generations of Trinidad and Tobago well into the future and not expiring in October of this year and that is, once again, the competence and the confidence—

Hon. Senators: [*Desk thumping*]

Hon. S. Young: —of a PNM Government in the energy sector doing what is right to ensure for the future generations.

Hon. Senators: [*Desk thumping*]

Sen. Mark: I have another supplemental, Sir.

Mr. President: No, that is four.

Sen. Mark: I thought I had three. I have one more.

Mr. President: No, Sen. Mark, you had four.

Sen. Mark: I have expired?

Mr. President: Next question on the Order Paper, please.

Sen. Mark: My God, I am very disappointed, very disappointed. I wanted to deal with that “sell-out Minister”.

Mr. President: Sen. Mark.

Sen. Mark: Yeah, sorry, Sir.

Mr. President: Sen. Mark—

Sen. Mark: Sorry, Sir. Sorry, Sir.

Mr. President: No, have a seat. I am not inclined to continue rising to my legs to bring the proceedings back to order so as far as I am concerned until the end of oral questions, walk a thin line.

Mr. Imbert: Mr. President, Standing Order 46(6). He referred to my colleague as a “sell-out Minister”. In other words, he personalized it, he is imputing improper motives. I would ask that he withdraws it and apologize.

Mr. President: So, Sen. Mark, again, the Standing Order 46(6) is indicating it is

imputing improper motives of the use of that particular phrase, I would ask you to refrain from using that phrase going forward.

Sen. Mark: [*Inaudible*] use a phrase on this gentleman—

Mr. President: Sen. Mark, Sen. Mark have a seat. Make this the last time I am on my legs for this—ask the question.

Sen. Mark: Thank you, Mr. President. Which question, Sir?

Mr. President: 55.

Sen. Mark: Question Number 55 to the Minister of National Security.

**Port of Spain Inter-Agency Task Force
(Negotiation of Peace Deals between Rival Gangs)**

55. Sen. Wade Mark asked the Minister of National Security:

Given recent reports of officers from the Port of Spain Inter-Agency Task Force negotiating peace deals between rival gangs, can the Minister state:

- (i) whether the Government has approved/endorsed such action; and
- (ii) if so, whether the Government has a policy in place to guide law enforcement agencies in such practices?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you, yet again, Mr. President. The Trinidad and Tobago Police Service has never engaged in any such dialogue. It follows, therefore, that the Trinidad and Tobago Police Service has never informed the Government of Trinidad and Tobago that any such dialogue was undertaken by the TTPS. It would also follow that the Government could not endorse any such action. In addition, the Government of Trinidad and Tobago has never suggested to the TTPS that this should be a considered approach as government policy. The Government of Trinidad and Tobago expects the Trinidad and Tobago Police Service to continue to develop strategies in responding to the crime problem and other crime management issues within the country.

The Trinidad and Tobago Police Service has produced several strategic plans over the years. The latest being the plan of 2022 to 2024. This strategic plan guides the Trinidad and Tobago Police Service in treating with existing administrative and operational issues. In addition, the 2023 Violent Crime Reduction Plan, VCRP, was designed to direct response to rising levels of illegal firearms as well as troubling levels of gang activity. The purpose of the plan is to reduce the fear of crime and criminality through the improved relationship between the TTPS and the communities around Trinidad and Tobago.

As it pertains to gangs, one of the primary aims of the VCRP is to dismantle criminal gangs, enhance intelligence capabilities, increase detection and to successfully prosecute violent and prolific offenders. The TTPS' plan to dismantle criminal gangs which is consistent with the Government's policy includes the following:

- Conducting extensive data mining on gangs in accordance with the law.
- Selecting the most violent gang members from the gang database in each police division and intensively targeting them.
- Targeting the most prolific offenders, gang members, drug dealers and other notorious persons for specific action including execution of outstanding warrants.
- Making effective use of the Anti-gang law, Interception of Communications Act and other relevant laws to disrupt their activities and to prosecute gang members.
- Assigning field intelligence officers in each police division to collect and process intelligence on criminal gangs.
- Operationalizing gang intelligence units in each police division and

substantially increasing the number of officers dedicated to dismantling gangs.

- Applying precision-driven law enforcement and prevention strategies to those communities with persistent violent hotspots;
- And controlling movements on our roadways and public spaces.

Those, Mr. President, are some of the main features in the anti-gang thrust that this question quite properly focuses on. Thank you.

Mr. President: Sen. Mark.

Sen. Mark: Yes. Thank you, Mr. President. In light of the statement or the response given by the hon. Minister, can the Minister indicate to this Senate, why in light of the widespread publicity of this particular situation did the Government not issue a clear and categorical statement disassociating itself from any kind of negotiations between this task force of the police service and gangs, rival gangs in the Port of Spain area? Why did the Government—

Mr. President: Minister.

Sen. Mark: —not categorically issue a statement denying this?

Hon. F. Hinds: Mr. President, the Government's policy is very clear, very highly publicized. The Government did not have to extricate itself from any such action. The police service, led by the Commissioner of Police, made it quite clear, satisfactory enough to the Government, on behalf of the people, that it did not endorse or support any such policy or action. The Government's position remains abundantly clear, and further clarified today in my response to the Senator. I thank you very much.

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, can the Minister indicate whether he is aware that the Commissioner of Police has conducted a proper investigation into those allegations

of negotiations between this Task Force and rival gangs in the Port of Spain area so that Trinidad and Tobago, consistent with Government's policy, could be very clear that this is not so and therefore if it is so, action is being taken by the Commissioner of Police to correct this matter?

Mr. President: Minister of National Security.

Hon. F. Hinds: Mr. President, as alluded to earlier, the police service responded publicly to this situation following the allegations that were made. I do not know if the police service is involved in any investigation on that or other matters. Maybe a certain deputy political leader of the UNC might be able to assist us in that regard.

Sen. Mark: Suzette Martin.

Mr. President: Sen. Mark, Sen. Mark, next supplemental.

Sen. Mark: Mr. President, through you again, can the Minister indicate whether there are rogue elements in this Port of Spain Task Force that are operating independently of the Commissioner of Police, as well as the Minister of National Security, in negotiating with rival gangs in the Port of Spain area? Can the Minister confirm or deny that, Mr. President?

Mr. President: Minister.

Hon. F. Hinds: In the generality, it is well known that there are rogue members of the Trinidad and Tobago Police Service. There were rogue Cabinet Ministers in the country, some of whom found themselves before the court. That is quite well known to all of us in the generality. On this specific matter, however, the police service's policy, the Government's policy are well known and published and if in the generality, any member of the police service or any person goes contrary to those dictates, the guidance of those policies, then of course, if it amounts to criminal action, criminal action will be, has been, in those circumstances, taken.

All of my response to the generality cannot comment on the specific issue any more than I already have, Mr. President. May I thank you?

Mr. President: Sen. Mark.

Sen. Mark: I think I have exhausted the gentleman.

Mr. President: Sen. Dr. Paul Richards.

Sen. Dr. Richards: Thank you. Good afternoon, colleagues. Question Number 88 to the Minister of Rural Development and Local Government.

**Miscellaneous Provisions (Local Government) Act No. 11 of 2022
(Proclamation of remaining clauses)**

88. Sen. Dr. Paul Richards asked the Minister of Rural Development and Local Government:

Given the assent and partial proclamation of the Miscellaneous Provisions (Local Government) Act No. 11 of 2022, can the Minister advise:

- (i) when will the remaining clauses of the Act be proclaimed;
- (ii) whether Local Government bodies have been assessed to determine their readiness to effectively implement said law; and
- (iii) when can citizens expect the implementation of the new local government system and its purported benefits?

The Minister of Rural Development and Local Government (Hon. Faris Al-Rawi): Mr. President, good afternoon to the hon. Senators and you, Mr. President. The full proclamation and implementation of the Miscellaneous Provisions (Local Government Reform) Act, 2022 is expected to occur over the course of the next 12 months. In this context, local government bodies are in fact being continuously assessed to determine their readiness for implementation of the new system and all appropriate action is being taken to strengthen, reform and upgrade the bodies to handle their new role and responsibilities. Thank you.

Mr. President: Sen. Richards.

Sen. Dr. Richards: Thank you, Mr. President. Through you, Mr. President, have any challenges, major or otherwise, been identified by local government bodies in preparation for this new local government legal regime?

Mr. President: Minister.

Hon. F. Al-Rawi: I thank the hon. Member. This is a comprehensive package of amendments and there are of course challenges afoot. None out of them are out of the norm or unexpected. The areas of concern involve simple capacity arrangements, space, financing and structures. What is important is that the plant and machinery, the people and the process to go with the reform implementation has been mapped out and identified and those structures are being transferred from certain areas to other areas or improved across the base. I regret that the answer is as open and as large as I have given without specifics, it is because the area itself is such a large area of reform.

Mr. President: Sen. Richards.

Sen. Dr. Richards: Thank you, Mr. President. Through you to the Minister, given that there is much discussion about the Local Government Reform Bill and its purported benefits to the people of Trinidad and Tobago and the fact that property tax collection for residential properties is linked to that, can the Minister be more specific about the evolution of this proclamation given that the burgesses who are in the process of paying property tax are going to expect benefits in less than the 12-month projection that you have identified?

Mr. President: Minister.

Hon. F. Al-Rawi: Thank you. I remind that there is an annual budget cycle. The Minister of Finance, in fact, provided already in this year's budget for an allocation to come from the Consolidated Fund for property taxes. So in a sense, the

Government has already put money for property tax from the coffers of the Consolidated Fund. With the proclamation of the methodologies to collect property tax, of course, those things will come in to supplement that position. There has been a reduction, a one-third reduction in property taxes. But to encourage the implementation, that is where local economic development is aggressively going on as we speak in the construction of local economic booths, business development units, new projects, new products and those things are rolling out in the course of the actual financial year as we speak.

So those are ongoing, already part of the reform package, being delivered as we speak and the fruits of those will come during the course of the execution of this year's PSIP and IDF. As we get those movements, you will begin to see the fruit of that on the field.

12.05 p.m.

Sen. Dr. Richards: Thank you final question, Minister. Given the fact that many if not most local government bodies have been notoriously derelict in supplying audited financials, and now they are being afforded the opportunity to collect funds to the benefit and the interest of the burgesses, have there been any training or stronger oversight financial mechanisms being instituted in these local bodies to ensure that the moneys being collected are not misused, and they actually do redound to the benefit of the burgesses?

Mr. President: Minister.

Hon. F. Al-Rawi: Very grateful for the question. As a matter of fact and law, the Finance Act, December 2023, put the collection of property tax in the hands of the Board of Inland Revenue, as and until the Minister of Finance, by order passes that responsibility to local government. So, the collection of moneys is done by the Board of Inland Revenue. I will remind as well that with the full proclamation of

the Public Procurement Act, there is now a completely different regime of expenditure both in how it is procured, and how it is accounted for. And the Office of Procurement Regulation is therefore there. So, there are very large systemic changes that have been applied already to the equation.

To answer the old issue of accounts and management structures, I can say that the Ministry itself has updated all internal audits, has already done the auditing and position cycles in combination with the Ministry of Finance. So, there is a completely different regime in effect right now. The past situation of no procurement law, Central Tenders Board, PS and other limits et cetera that is all done, that does not apply today. There is a completely different regime of expenditure and management, and therefore accountability. And for the record, the Ministry of Finance is collecting property tax, not the local government bodies, it is applied to the local bodies under the Finance Act of December 2023.

Mr. President: Sen. Patasar.

Proposed Timeline for the National Cultural Policy (Implementation of)

89. Sen. Dr. Sharda Patasar asked the hon. Minister of Tourism, Culture and the Arts: Can the Minister provide the proposed timeline for the implementation of the National Cultural Policy of Trinidad and Tobago and the status of this implementation effort?

Mr. President: Minister of Tourism, Culture and the Arts.

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Thank you very much, Mr. President. The National Cultural Policy covers the period 2020 to 2025. The policy was laid in Parliament on February 12, 2020. Shortly thereafter, the implementation was largely stymied by the COVID-19 pandemic. However, notwithstanding the general disruption brought on by the

pandemic to the cultural sector, the Ministry continued to support and build resilience within the sector. The major initiatives and programmes that were successfully implemented in line with the two thematic areas and five goals on the National Cultural Policy are as follows:

- Theme 1: National identity and cultural confidence.
- Goal 1: Enhance cultural confidence by ensuring the participation of all in cultural development that transforms the social and economic experiences of the nation.

The Ministry successfully held several cultural tourism exhibitions throughout Trinidad and Tobago. These include Treasures from the Hideaway, an exhibition of memorabilia from Dr. Slinger Francisco at the Piarco International Airport, Amazing Facts about Trinidad and Tobago at the Gulf City and Trincity Malls, and Carnival in Trinidad and Tobago at Trincity Mall.

- Goal 2: Strengthen Identities, national identity and a sense of belonging among all social groups.

The Ministry has facilitated the hosting of Cultural Camps, Music Schools, Mentoring by the Masters workshops as follows: 9 Cultural Camps - 252 participants; 3 Mentoring by the Masters workshops - 41 participants; and Music Schools Capacity Building Initiative - 11 participants representing 5 Non-Governmental Organisations.

- Theme 2: Harmonized and strengthened cultural environment as an enabler of cultural growth.
- Goal 1: Secure and strengthen the infrastructure for cultural diversity, preservation, participation, exchange and expression.

Upgrade and refurbishment works were conducted and are continuing at the five (5) performance spaces and at the Royal Victoria Institute. In addition, the

Ministry completed work on the Desperadoes Pan Theatre and continues to support the development of the Trinidad and Tobago Carnival Museum. The Ministry has also supported festivals which have direct and indirect positive impact on individuals and communities. These include the inaugural World Steelpan Day celebrations in 2023, the Bocas Lit Fest, the North Coast Jazz, the Trinidad and Tobago Film Festival and others. Additionally, during the period, the Ministry participated and/or facilitated the following cultural exchanges:

- Participation of a cultural delegation to the World Expo in Dubai, United Arab Emirates, March 10-11, 2023;
- The visit of Ms. Claudia Godoy, Brazilian Photojournalist, to Trinidad and Tobago.
- The Ministry collaborated with the High Commission of India to host “Dance of India” led by Bhola Panday, during the period 04- 07 April 2024; and
- In partnership with the Embassy of the People’s Republic of China to stage the China Film Festival, April 11-14, 2024, in recognition of the 50th Anniversary of the establishment of Diplomatic relations between China and Trinidad and Tobago.

Based on the collaborative efforts of the Ministry and its stakeholders, the United Nations declared 11th August as World Steelpan Day, and this year, the Ministry will pioneer an annual World Steelpan Festival from August 09-11 to commemorate this occasion.

- Goal 2: Support artists, entrepreneurs and industry associations in the production of high-quality output.

The Ministry has provided financial assistance in the form of Grants and Sponsorship to stakeholders in the amount of millions of dollars annually. During

the period, the Ministry ensured that the Assessment Committee for the Artist Registry was also reconstituted. This Committee facilitates support to the practitioners in the cultural sector by corporate sponsors. Individuals, organizations, festivals and creative works must be registered with the Artist Registry to enable prospective corporate sponsors to access the Art and Culture Tax Allowance. There was a total of 935 approvals to date in these categories.

Additionally, the Ministry was awarded US\$91,700 in grants from UNESCO to build the capacity of local visual and performing arts educators, as well as upgrade the database and website of the Artists Registry of Trinidad and Tobago. The former was successfully implemented while the latter is currently ongoing and will be completed by July 2024. In March 2024, the Ministry also collaborated with the United States Embassy and the Ministry of Foreign and CARICOM Affairs in hosting an information session on the U.S. P3 visa for local artists and entertainers seeking to perform, teach or coach on a temporary basis in the United States.

Mr. President: Minister.

Sen. The Hon. R. Mitchell: Thank you very much.

Mr. President: Hon. Senators the time for Oral Questions has expired, I now refer you to Standing Order 27(12), and as a reminder let me just read it out. It states that:

“12. Questions on the Order Paper for oral answer which remain outstanding at the expiration of forty-five (45) minutes shall be answered in writing by the Minister to whom the Question was addressed, who shall immediately pass copies of his answer to the Clerk for circulation to Members at that sitting and for inclusion in the Minutes of the Proceedings...”

So, Ministers who have questions still yet to be answered, you will be guided accordingly by Standing Order 27(12) of the Senate.

Question time having expired, the following questions (90, 91, 93 and 94) were not dealt with:

**Assessment of Student Support Services Division
(Details of)**

90. Senator Dr. Sharda Patasar asked the Minister of Education: With regard to the assessment of students within the Student Support Services Division, can the Minister advise as to the following:

- (i) whether there is a programme for the assessment of students with communication disorders;
- (ii) when assessed, does the Division provide access to speech and language therapists for treatment of these disorders; and
- (iii) who is responsible for the cost of these services?

**Transition of Central Statistical Office
(Status of)**

91. Senator Dr. Sharda Patasar the Minister of Planning and Development: Can the Minister provide the proposed timeline for the transition of the Central Statistical Office to the National Statistical Institute of Trinidad and Tobago and the status of this transition?

**FUL's Approved/granted to Private Security Companies
(Details of)**

93. Senator Dr. Paul Richards asked the Minister of National Security: With regard to Firearms Users Licences (FULs) approved/granted to private security companies in Trinidad and Tobago as at December 31, 2023, can the Minister provide a breakdown of the following:

- (i) the total number of active FULs granted to said companies; and

(ii) the ten (10) private security companies with the largest total numbers of active FULs?

**Firearms Users Licences
(Number of active users)**

94. Senator Dr. Paul Richards asked the Minister of National Security: Can the Minister provide the number of active Firearms Users Licences held by the following:

- (i) business owners (excluding private security company owners); and
- (ii) other private citizens?

Awaiting submission of written answers.

Mr. President: Leader of government business.

SPECIAL SELECT COMMITTEE

Miscellaneous Provisions (Trial By Judge Alone) Bill, 2023.

(Extension of time) The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, having regard to the Interim Report of the Special Select Committee of the Senate appointed to consider and report on the Miscellaneous Provisions (Trial By Judge Alone) Bill, 2023, fourth session 2023/2024 Twelfth Parliament, I beg to move that the Committee be granted an extension to May 31, 2024 to complete its work and submit a final report.

Question put and agreed to.

Mr. President: Leader of government business.

JOINT SELECT COMMITTEE

Representation of the People (Amdt.) (No. 2) Bill, 2020.

(Extension of time)

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, having regard to the Interim Report of the Joint Select Committee appointed to consider and report on the Representation of the People (Amdt.) (No. 2) Bill, 2020, fourth session 2023/2024, Twelfth Parliament, I beg to

move that the Committee be granted an extension to June 30, 2024, to complete its work and submit a final report.

Question put and agreed to.

RELATED MOTIONS.

Mr. President: Leader of government business.

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, I wish to advise that there is has been agreement between the benches to debate Government Motion No. 1 separately and Government Motions No. 2 and 3 together, I thank you.

Mr. President: Minister of Finance.

Hon. Members: [*Desk thumping*]

TRINIDAD AND TOBAGO REVENUE AUTHORITY ACT (Appointment of Director General - Mrs. Patsy Latchman-Atterbury)

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. President. I beg to move the following Motion standing in my name:

“Whereas section 13(1) of the Trinidad and Tobago Revenue Authority Act, 2021 (Act No. 17 of 2021) provides, inter alia, that the Minister shall, by Notification subject to affirmative resolution of Parliament, appoint the Director General and such number of Deputy Directors General of the Authority as are required;

And whereas the Minister of Finance has, by Notification dated the 15th day of March, 2024 appointed Mrs. Patsy Latchman Atterbury to the office of Director General of the Trinidad and Tobago Revenue Authority with effect from the date of her assumption of duty in that office; *And whereas* it is expedient to approve the Notification:

Be it resolved that the Notification of the appointment of Mrs. Patsy Latchman Atterbury to the office of Director General of the Trinidad and

Tobago Revenue Authority be approved.”

Mr. President, my understanding of parliamentary practice, the Standing Orders, is that a debate of this nature is limited to the suitability of the person to hold the position and nothing else. The job description for the Director General of the Trinidad and Tobago Revenue Authority is as follows:

“The Director General (‘DG’) is...”—an—“...executive position on the structure of the”—Revenue Authority and—“...shall be an ex officio member of the Board of...”—Directors. The Director General—“has the dual role of institution-building and strategic and operational leadership of the”—Revenue Authority. “This requires the incumbent to ensure the development and implementation of high-quality strategies and plans that are informed by government policy and the operating environment. The”—Director General—“must therefore ensure that the strategies and plans are aligned with short-term and long-term objectives.”

Some of the responsibilities and accountabilities of the Director General are as follows:

- The individual—“Provide strategic, proactive and effective leadership for the...”—Authority.
- “Advises”—the Minister—“on revenue implications, tax administration and aspects of policy...relating to all taxes...”
- “Advises”—the Minister—“on any matter(s) that can affect public policy or public finances...”
- “Leads the implementation of a modern revenue and tax administration system.”
- Oversees and reports to the Board on the implementation of management

- policies as approved by the Board.
- Ensures the implementation of a code of conduct.
 - “Oversees the management of the”—Revenue Authority’s—“funds, property and records.”
 - “Oversees the execution of the”—Authority’s—“multi-year strategic plan and...annual...plan.”
 - Coordinates and executes programmes and projects.
 - “Prepares reports”—to the Minister—“on the performance of the”—Authority.
 - “Establishes...strategic relationships...partnerships/collaboration between the”—Authority—“and relevant local, regional and international...bodies.”
 - Represents the Government as required in local, regional and international forum.
 - **12.20 p.m.**
 - The minimum qualifications and experience are as follows:
 - “• A Master’s Degree/Professional Qualification or equivalent postgraduate qualifications in Accounting/Economics/Law/Business/Public Administration or other relevant fields
 - • Extensive experience at a senior level...in the financial/economics/business sector
 - • ...5 years’...experience in tax or customs administration, Corporate Management or accounting/economics/law/business/public administration or other relevant fields”.

- • Demonstrated experience in driving strategic initiatives in large and complex organizations
- And:
- “• Regional or international exposure in working with other... Authorities will be an asset”.
- So before you is a Motion based on the notification that I made in March of 2024, pursuant to Section 13(1) of the Trinidad and Tobago Revenue Authority Act. And this Motion is in relation to the appointment of Mrs. Patsy Latchman-Atterbury for the office of Director General.
- Mr. President, I am advised that the recruitment process was rigorous and I have the pleasure of recommending this individual to the House for approval. I will now give some details of her qualifications and experience.

Sen. Mark: Before you do so, Mr. President—

Hon. C. Imbert: I am not giving way.

Sen. Mark:—on a point of order—

Hon. C. Imbert: I am not giving way to you.

Sen. Mark: On a point of order—

Hon. C. Imbert: I am not giving way to you.

Mr. President: Minister, one second. You have a point of order, Sen. Mark?

Sen. Mark: I said so. Mr. President, 46(2) of the Standing Orders. My understanding is that this matter is properly before the Court of Appeal and I think it is—

Hon. C. Imbert: Which matter?

Sen. Mark: The matter of the TTRA, Mr. President, is properly before—

Mr. President: Sen. Mark, no.

Sen. Mark:—the Court of—

Mr. President: Minister of Finance—Sen. Mark, have a seat. So I understand where you are going. Again, no, that Standing Order does not apply. Minister of Finance, continue.

Hon. C. Imbert: Precisely, Mr. President.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: That is why when I introduced my contribution, I said that this Motion, from my understanding of the Standing Orders, and my long experience in Parliament, and my reading of May's *Parliamentary Procedure*, and other books on parliamentary procedure, that this Motion deals only with the suitability of Mrs. Patsy Latchman-Atterbury for the office of Director General and nothing else. And her appointment as Director General is not before any court in any place, anytime, anyhow, anywhere. So let me move on to the substance of this Motion.

Mrs. Patsy Latchman-Atterbury is the holder of a Bachelor of Science, with Upper Second Class Honours in Management Studies that was awarded to her from the University of the West Indies in 1986. After attaining her Bachelor of Science degree, Mrs. Latchman-Atterbury moved on to join Penta Paints Caribbean Limited in 1986, where she held the position of Sales Representative. After that, she moved on to Johnson & Johnson Trinidad Limited in 1988, where she was appointed a Brand Manager, a position she held for two years until 1990.

In 1990, she again moved to hold the position of Brand Manager, Sterling Drug Limited, a position she also held for two years. In 1992, she then moved to the post of Export Representative, Bermudez Biscuit Company, Trinidad, which she held until 1996, a total of four years.

From 1996 to the present day, Mrs. Latchman-Atterbury has held several executive positions in various companies, the first being the position of General Manager, Caribbean Brands Limited, from 1996 to 1999. During this period, Mrs. Latchman-Atterbury was responsible for the starting up and building of this particular entity, Caribbean Brands Limited, for the purpose of distribution of products manufactured by companies in the Bermudez Group. She established the company as a formidable competitor and leader of merchandising trends in the local marketplace in Jamaica.

She then moved to the position of General Manager, Jamaica Biscuit Company Limited, from 1999 to 2007, a period of eight years. She led an executive management team and transformed the company from a leading manufacturer of one of Jamaica's staple biscuits, to a manufacturing and distribution entity, supplying both local and export markets. She was also instrumental while at that company in a culture shift from a bureaucratic machine to a work hard, play hard entity, and changed the focus of the company from production driven to market and consumer driven. During this period, Mrs. Latchman-Atterbury successfully pursued her Masters of Business Administration at the University of the West Indies and was awarded her master's degree in 2006, with a distinction and top of the class.

In 2007, she moved up the corporate ladder and was appointed Vice- President, Small and Medium Enterprises, the Bank of Nova Scotia, Jamaica, for a total period of seven years. During her time at the Bank of Nova Scotia, Jamaica, she was responsible for developing, planning and leading the design of strategic initiatives to grow the SME portfolio and positively impact the profitability of the Bank of Nova Scotia Group. She was also responsible for establishment of the

Scotiabank chair of entrepreneurship and the Scotiabank development programme, as well as Scotiabank's coaching and mentorship program for SMEs. She contributed to heightened national attention on recordkeeping by SMEs to ensure proper management and success.

Finally, as Vice-President, Small and Medium Enterprises, Bank of Nova Scotia, Jamaica, she led a team in the establishment of Credit Scotia, Jamaica, a microfinance entity.

In 2007—

Hon. Senators: *[Interruption]*

Hon. C. Imbert: Mr. President, these two hon. Senators in front of me are carrying on a running commentary. It is very difficult.

Mr. President: Okay. No need to engage in a back-and-forth. Just monitor the level of voices as the Minister is contributing. Continue, Minister of Finance.

Hon. C. Imbert: Thank you very much.

In 2007, Mrs. Latchman-Atterbury was appointed Executive Vice-President, Retail Banking, the Bank of Nova Scotia, Jamaica, a position she held for 10 years. During this time, she had direct responsibility for developing, planning and leading strategic initiatives to grow the retail banking share of Scotiabank and ensure customer satisfaction and retention. Her span of responsibility at the Bank of Nova Scotia, in the position of Executive Vice-President, included the retail branch network, small business banking, mortgages, non-branch sales, microfinance and customer service. She also led the branch network in the Bank of Nova Scotia, Jamaica, through several structural changes to ensure operational efficiency, while surpassing sales targets and ensuring that operational reviews were satisfactory.

In 2017, Mrs. Latchman-Atterbury was appointed Chief Executive Officer of

Tastee Jamaica Limited, a position she held until 2021. As CEO, she was responsible for the efficient and profitable manufacturing and distribution of the iconic “Tastee patties” across a robust network. She also stabilized the company’s operation during the challenging COVID-19 pandemic. During this period, Mrs. Latchman-Atterbury commenced studies in a Doctorate of Business Administration with the University of the West Indies. She is currently still pursuing this degree—this doctoral degree.

In 2022, Mrs. Latchman-Atterbury was appointed Managing Director, GK Capital Management Limited, a position she currently holds. She currently has responsibility for developing the company’s strategies and for overseeing the company’s financial performance, investment and other business ventures. In this position, she maintains trust relationships with shareholders, business partners and authorities. She directs the company’s operations, while ensuring that GK Capital Management Limited’s policies and legal guidelines are adopted and implemented across the organization.

Based on these qualifications and her vast experience in management, and her impressive academic qualifications, especially in view of her stint as Vice-President, Retail Banking, in the Bank of Nova Scotia, Jamaica, I unreservedly recommend Mrs. Patsy Latchman-Atterbury to be and hold the position of Director General, Trinidad and Tobago Revenue Authority. She’s highly qualified and extremely experienced. I beg to move.

Hon. Senators: [*Desk thumping*]

Question proposed.

Sen. Wade Mark: Thank you, Mr. President. Mr. President, I think the matter at hand is an extremely important matter. In fact, I must compliment the Minister, I

do not do this often, but he used the term “suitability”, I said, but this Minister is on the ball. Because here it is, Mr. President, we are talking about the equivalent of what is called the Chairman of the Board of Inland Revenue, and atop the Chairman is the Permanent Secretary in the Ministry of Finance. So the question that—and I want to make it very clear from the outset, I do not know the lady—the distinguished lady. I never met her. So whatever contribution I make, no aspersions are cast on this particular individual in terms of suitability. I want to make it very clear; very, very clear to everyone. So, Mr. President, here it is the Minister has read out—has shared, I should say, the job spec, the job description of the nominee that is before us. And I was taking and following what the Minister was sharing with this honourable Senate about the particular individual.

But before I get into the résumé, as well as the job description of this office-holder, I would like the hon. Minister, in his winding up, to tell this honourable Senate whether this individual has accepted this job. Because you would see in the résumé—Mr. President, if you have not looked at it, may I advise this honourable House, through you, that the nominee before us has been working as the Managing Director of GraceKennedy Capital in the heart of Kingston, Jamaica, since 2022 to the present time, Mr. President; from 2022 to the present time.

12.35 p.m.

So, that is why I am asking the hon Minister to share with this honourable Senate, because he did not say in his presentation. You are “calling up people name” in this Parliament. He is calling the name of the individual in this Parliament, Patsy Latchman-Atterbury, but one thing the Minister has not told you and this honourable Senate, has Patsy Latchman-Atterbury—has she accepted the job, Mr. President? The Minister has not told us. Secondly, I am just assuming, Mr.

President, that if I am working as a managing director of a very powerful private sector company called Grace Kennedy, which is a very powerful private sector company in Jamaica, and I am the Managing Director of that company, I will be getting very good terms and conditions of engagement, and that is why I have not left. That is why what is before us tells us from 2022 to the present, which means right now as we are debating this matter of Director General, Mr. President, and this lady is supposed to fill that post.

The Minister did not share with this honourable Senate what are the terms and conditions of employment of this officer out there because we are very clear, given the information that is before us, that she works as the Managing Director of Grace Kennedy Capital that deals with investment in Jamaica and other activities. So, hon. President, I would ask the hon. Minister to be a little more transparent, this is not a lodge—

Hon. Imbert: Transparent about what?

Sen. W. Mark: We are not a lodge.

Hon. Senators: [*Crosstalk*]

Sen. W. Mark: You might be a lodge member—

Hon. Imbert: Serious?

Sen. W. Mark: —but we are not in a lodge.

Hon. Imbert: What is that?

Sen. Sookhai: What is that?

Sen. W. Mark: Alright. I withdraw that.

Mr. President: Just—thank you.

Sen. W. Mark: Mr. President, all I am saying, is that, we are demanding greater transparency and accountability on this matter. One, has the lady accepted the job?

Hon. Imbert: How much time you will say that?

Sen. W. Mark: “Well, weh yuh mean? I putting it to you, if you cah hear.”

Hon. Imbert: How much time “yuh go” say—

Sen. W. Mark: So that is the first thing. The second thing, Mr. President, the Minister owes us a responsibility to tell us whether this matter—because I heard him in the Parliament on Friday last. I listened to him because I know he is coming here for our approval, and you know what he told the other place? The terms and conditions of this job are still before the Cabinet. They have not determined it.

So imagine, Mr. President, we are being asked to approve persons who we do not know if they have accepted. Secondly, we do not know what the terms and conditions are, and even if the Minister does not want to tell us the terms and conditions, at least the Minister could say, listen, the Cabinet has accepted the terms and conditions, as approved by the Minister of Finance, on the advice of the CPO. So at least, we here will know that that is a finished product. There is no information on this matter.

Mr. President, you know this Minister, when he is speaking, he wants nobody to disturb him. He always rises with a Standing Order. I would not say anything more. You are there; you are hearing me. Mr. President, I want to, or I would like to ask the hon. distinguished Minister of Finance—I have in my possession a document which I will share with you as the President, and I will send to all my colleagues here, where this lady, on May 22nd, I beg your pardon, May 20th, 2022, in Kingston, Jamaica, on behalf of Grace Kennedy Capital, signed, sealed, and delivered, a mutual funds contract between who? The Unit Trust of Trinidad and Tobago, the Unit Trust Corporation of Trinidad and Tobago headed by who? The

Chairman of the Board of the TTRA, one Nigel Edwards. He is the Executive Director of the Unit Trust Corporation, Mr. President, and the lady in question, Pasty Latchman-Atterbury, is the l again.

Sen. W. Mark: Mr. President, I apologize—

Mr. President: No, it is not—

Sen. W. Mark: May I apologize to you, Mr. President?

Mr. President: Understood. Let me finish. It is not tolerable. Be very careful. Continue.

Sen. W. Mark: Mr. President, may I seek your indulgence? I seek your protection. When I am speaking, can I ask for you to give me protection? This running commentary that is coming from across there.

Mr. President: Alright. Have a seat, have a seat.

Sen. W. Mark: I am just asking you to protect me.

Mr. President: Have a seat. Everybody has my protection once they are on their legs and contributing. I ask you to continue now.

Sen. W. Mark: Right.

12.45 p.m.

Sen. W. Mark: Thanks. So, Mr. President, all I am saying to this honourable Senate, there appears to me, Mr. President, to be a conflict of interest, and I do not think the Minister of Finance should bring any name here that even before they could be seated in the chair, they and the Chairman of the TTRA have already signed document to engage in private business transactions on behalf of their companies and corporations. If they can do that before, Mr. President, before they can take up their formal appointment, what will happen when they take up the

formal appointment, Mr. President? I am just asking. I cast no aspersions. I am dealing with the interest of the people of Trinidad and Tobago and we are talking about taxes. I work very hard, and they take my money through taxes, and I “doh” want anybody to be taking my taxes and engaging in all kinds of backroom deals.

So all I am asking, Mr. President, let us be real. Mr. Minister, withdraw this “nah”. This lady is unsuitable. This lady is unsuitable for the job. Withdraw that particular name. Go back out and recruit again. She is conflicted. It is like promoting an officer who kidnaps an individual to the post of Deputy Commissioner of Police. That is unlawful. Mr. President, as I said, I bring these matters early to your attention.

Mr. President, I looked at the résumé of the individual, this person is a good juice seller. She is in the KFC business, fast food, Tastee Patties. Mr. President, if you look at the résumé, banking, Scotia Bank, Vice-President, Executive Vice-President, small business, medium-sized business. Even in COVID, the résumé is telling us she made plenty profits for a company called Bermudez and Tastee Patties and all of these people, plenty money. I have no problem with that, Mr. President, from a private sector point of view, but you are coming into the public service, which is a different ethic, a different culture, a different responsibility, Mr. President, and I looked through the résumé, Mr. President. Mr. President, I think the Minister needs to wheel back and come again. Let him wheel back and come again. Mr. President, listen to what the Minister has read. Look at the job description that is before us; look at the responsibilities and accountabilities of this particular individual in terms of the office.

Mr. President, this person is supposed to deal with the administration or enforcement of the revenue laws of Trinidad and Tobago. The revenue laws, Mr. President. Mr. President, the TTRA is an amalgam of the Board of Inland Revenue and the Customs and Excise, and this lady is responsible as Director General for administrating, managing, overseeing, supervising, both customs, excise, duties, domestic taxes.

Mr. President, I ask any Member of this Senate including the Government go through this résumé with a fine-toothed comb and see if you see the word revenue coming up once. Go through this résumé and see, Mr. President, see if the word tax, domestic tax comes up once. Mr. President, this is not fit for purpose. Why are we going—our Revenue Authority will crash. Will crash, because you are putting somebody who does not have any experience whatsoever in revenue collection, in domestic tax administration, has no experience in customs duties and excise, and you are putting them to be in charge of 90 per cent of the revenues of Trinidad and Tobago. Mr. President, that is a recipe for disaster in Trinidad and Tobago.

I have no problem with the lady. “I doh care if she from Jamaica, Antigua, Bermuda, I doh care.” Once you competent. Once you have the—if this lady had the skill set and she could have shown in her résumé, Mr. President, that she has administered the revenues of Jamaica for 15 years. She was there as Director General for 15 years. We could live with that, even though she is a Jamaican. I love Jamaicans, they are part of CARICOM. So we have no problem with a Jamaican coming here. But Mr. President, why are we going to bring somebody to

be in this very sensitive position and job when they have had absolutely zero experience in tax administration? Does that make sense? I appeal to the honourable Minister. This is not fit for purpose.

Mr. President, so let me just consolidate further my arguments. You would see in the résumé that is before us that the individual in question has had experience, but in the very first paragraph of the professional profile, it tells you that the experience is in the field of manufacturing and distribution in the fast-moving consumer goods sector. That is what it is telling us here. This is the résumé. It tells us, Mr. President:

Small business and retail banking experience in the financial sector. Look it here:
Small business and retail banking...in the financial sector.

Mr. President, it goes on to talk about:

Operations and general management experience in local quick-service restaurant industry.

I take this to mean, Mr. President, a KFC, Subway, Royal Castle, I am not saying anything wrong, Mr. President. This person is not fit for purpose. That is what is wrong. You are talking about revenues not belonging to the Minister of Finance. These revenues do not belong to the Minister of Finance. These revenues belong to the people of Trinidad and Tobago, Mr. President, and we have to get the most competent person to administer, and to manage, and to supervise our revenues. That is what we are talking about, Mr. President. Any mistake here is corruption. Any mistake here is destabilization. Any mistake here is pain. We cannot afford to make mistakes in a period, Mr. President, when revenues are running low. We

cannot afford that. That is a mistake that we have before us today.

So, Mr. President, I am telling you that when you look at this thing carefully you realize that the person is in also, Mr. President, according to this first paragraph:

General management in the securities industry.

Fine. Maybe the Stock Exchange, maybe the Securities and Exchange Commission. That is fine. What does that have to do with tax administration, revenue laws, customs duties, and excise duties, Mr. Vice-President?

Mr. President, not one item in the résumé refers to this issue that we are dealing with, revenues. How can we support this? I have nothing against the person. I am not dealing with personalities here. So Mr. President, you go through this résumé, again and you trace, Mr. President, the—Mr. President, you understand what I am talking about? Is a running commentary. If they want to talk, they could be excused. But I am getting a feedback constantly, I seek your protection, Sir.

Mr. President: Sen. Mark, I think things have tempered down a bit, so you may continue.

Sen. W. Mark: So Mr. President, all I am saying to this hon. Senate, through you, and you looked at it. The Minister told us Penta Paints, Sterling Drugs, some export brand. What I found quite interesting and maybe the Minister could tell us, what is the PNM connection? Is this a PNM connection? No, I am asking.

I notice, Mr. President, that this person seems to have been christened, baptized, and confirmed in the Bermudez biscuits company group. I think it is the—Mr. President, if I am not mistaken, Mr. President, if I am not mistaken, if I am not mistaken, I believe the Chancellor of the University is the President and the

operating manager—

Hon. Senator: What that have to do with this?

Sen. W. Mark: All I am asking—Mr. President, you cannot ask me to approve something and then try to muzzle me. You cannot tell me what to speak. You will get a chance to speak. Allow me to speak. I am the Opposition, incoming government, all right. So I will speak. You may not like what I am saying, but I have a right to speak once the President allows me, Mr. President.

So Mr. President, what we are seeing in this document is that this lady, with the greatest of respect, no aspersion, I do not know the person, has had over 20 years of experience in the biscuit business. The biscuit business. Now, I understand change management, Mr. President, that is very important when you are talking about a new organization and you are talking about a new organizational culture. The lady, the individual, the nominee, has had that experience. It is in the résumé. I have no problem with that, that is a plus. But Mr. President, is this lady going to be employing as Director General, a consultant?

1.00 p.m.

But, Mr. President, is this lady going to be employed as Director General, a consultant? Mr. President, is she going—I am posing hypothetically for your consideration, and for this honourable House's consideration. If you are ignorant, if you have no knowledge of revenue administration, tax management, is this person going to use her power to hire experts who understand this job at the expense of the taxpayers of this country? So we are paying this lady \$200,000, let us assume hypothetically, Mr. President, per month, because that lady is not going to come cheap, eh. She is getting a very good salary at GraceKennedy as

Managing Director. So if you want me, Mr. President, you pay for me. I am asking, Mr. President, whether this individual will have to engage experts to guide her in her job. So we are getting a double whammy.

So what about these bright, young people in Trinidad and Tobago because they are not a PNM? I am not saying the woman is a PNM, eh. What about these bright, young people in our country who have PhDs and MScs? Is it because they do not carry a PNM party card that they have not been looked at, Mr. President?

Mr. President: Sen. Mark. One—have a seat—the argument that you are trying to make is bordering very closely on imputation. Two, you have spent the better part of your contribution, thus far, making two points in relation to suitability, first being that there was a conflict of interest, and the second being that the person is not qualified due to a lack of knowledge. Encompassing that, you have called many of the companies on the résumé that the person has worked for, which would then put you in tedious repetition of what the Minister of Finance has said, who did the very same thing in support of the Motion put forward. I would ask you now to wrap up your arguments in relation to this particular Motion because you are bordering on tedious repetition.

Sen. W. Mark: Mr. President, you know, I have the greatest respect for your office, I have been there, so I understand when you tell me what you have said.

Mr. President, let us look at the job description. Anyone who is occupying this office, including the Director General, is coming in on contract. Mr. President, do you know this? Mr. President, I am speaking to you, do you know that every—the Director General is a contract position for five years and the Minister of Finance has the authority, under the law, to contract someone and then to fire someone. You have the power to come to the Parliament, just as how you have

come today, and remove the person under the law. The law gives you criteria that you can use to remove a person that the Minister has appointed. So the Minister is the judge, the Minister is the executioner and the Minister is the juror. That is what the Minister is. This is a party group, this is a party branch of the PNM.

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

That is what it is. So we reject completely the politicization of the collection of revenues in Trinidad—

Mr. Imbert: Point of order—

Sen. W. Mark:—and Tobago, Mr. Vice-President.

Mr. Imbert: Point of order—

Sen. W. Mark: We reject that completely—

Mr. Imbert: Point of order—

Sen. W. Mark:—Mr. Vice-President.

Mr. Imbert:—46(1). This is not a debate about the Revenue Authority. It is about the suitability of this lady to hold the position of Director General, full stop.

Mr. Vice-President: The point of order is upheld. Kindly proceed, you have six minutes remaining in your contribution.

Sen. W. Mark: Thank you, Mr. Vice-President. The TTRA is the Trinidad and Tobago Revenue Authority. We are dealing with three—we are dealing with one person, Director General, and we are saying that the Minister of Finance has the power under the law—

Mr. Imbert: Point of order. Mr. Vice-President, this Motion is simply about the appointment and suitability of this particular lady to hold this position. There is nothing in this Motion that deals with any power of any Minister to remove anybody. Irrelevance, point of order, Mr. Vice-President.

Mr. Vice-President: Sen. Mark, you have been warned about that previously. I ask you to keep your arguments to the two points only, to the matter at hand.

Sen. W. Mark: Mr. Vice-President, do you have a copy of the job description? I ask you to put your hands on it, so you can follow. I am asking the hon. Vice-President to follow this job description, again in line with the Minister's intervention, suitability.

Mr. Vice-President, you told me I have a few more minutes to close off but when you look at the responsibilities and accountabilities, it includes to lead the implementation of a modern revenue and tax administration system. That is what we are being told, that the individual is—

Hon. Senator: [*Inaudible*]

Sen. W. Mark: Mr. Vice-President, this running commentary, what are you doing about it? So, Mr. Vice President, I am being disturbed.

Mr. Vice-President: Continue, Mr. Mark, it has subsided.

Sen. W. Mark: What has subsided?

Mr. Vice-President: Are you hearing crosstalk anymore?

Mark: Okay. Mr. Vice President, may I continue? I am saying that our position on this side is very clear. We completely reject, totally oppose the appointment of persons who, given the structure of the current arrangements, is going to lead one person to have total absolute control over everything that they do. And because of the incursion by one office-holder into these offices—

Sen. Dr. Browne: Mr. Vice-President, once again, Standing Order 46(1). The Member knows exactly what he is doing, deliberately straying outside of the Motion.

Mr. Vice-President: Sen. Mark, in your three and a half minutes remaining, I ask that you keep to the points before us.

Sen. W. Mark: Mr. Vice-President, so we go on now to another responsibility, to oversee the management of the TTRA funds, property and records. Well, would that mean that if the PNM wants my record, the Director General will be called upon to produce it, Mr. Vice-President?

Sen. Dr. Browne: Mr. Vice-President, Standing Order 46(1)—

Sen. W. Mark: I am asking a question.

Sen. Dr. Browne:—a point of relevance. The Member is persisting in irrelevance. He knows he is doing that.

Sen. W. Mark: Look it is here Mr. President. It is here.

Mr. Vice-President: Sen. Mark—

Sen. W. Mark: Mr. Vice-President—

Mr. Vice-President: Sen. Mark, as much as you are, I ask that you stick to the points of—the two points only that are in the matter at hand.

Sen. W. Mark: [*Inaudible*]

Mr. Vice-President: Sen. Mark, use your minute and a half wisely.

1.10 p.m.

Sen. W. Mark: Do not allow these people to “chain up” anybody here, you know.

Sen. Mitchell: “Come nah man.”

Sen. W. Mark: Mr. Vice-President, look, our position is very clear—

Sen Lezama-Lee Sing: You said that 20 times now.

Sen. W. Mark: Yes. I said it and I will say it again because you cannot hear. So, Mr. Vice-President, I make it very clear, we are not in support of this arrangement called the TTRA. We are not in support of what the Government is seeking to

impose on the people of Trinidad and Tobago. The individual that is before us called, Patsy Latchman-Atterbury, is unsuitable for this particular post. The person is unfit for purpose and, as such, we are calling on the Government to withdraw this particular nominee.

This nominee is conflicted and therefore is unsuitable for the job, and therefore, Mr. Vice-President, we have made our position very clear on this matter. The Government has the majority—and let me warn them, as I close, whatever you do with your majority, we shall undo with our majority. We will get a majority and we will undo it. So you do it now, we will undo it then. So we warn them, we serve them notice that they can do it now because they have the majority. When we get into office, we will undo it. That is what we will do.

So, Mr. Vice-President, you are clear on my position, you are clear on the UNC's position. We are not prepared to support this travesty of our democracy and this attempt at subverting, poisoning, undermining an independent institution called the Inland Revenue, which is now converted into the TTRA. We are not prepared to do that, Mr. Vice-President. With these few words, Mr. Vice-President, we call on the Minister, roll back, wheel back, withdraw this nominee and bring someone else. Reopen the recruitment process. Get someone else, Mr. Vice-President. I thank you for the opportunity to make my contribution, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

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

Sen. Dr. Maria Dillon-Remy: Mr. Vice-President, I thank you for allowing me to make a contribution on this Motion presented by the Minister of Finance, the appointment of Mrs. Patsy Latchman-Atterbury to the office of Director General of

the Trinidad and Tobago Revenue Authority. Mr. Vice-President, this Revenue Authority has been long in coming and there has been much discussion, debate, controversy around it. And, as we know, the Government's plan to introduce the Revenue Authority was challenged before the court by the Public Services Association, a claim that the court dismissed, and that judgement paved the way for where we are today and gives us some insight as to the tenor and the tone of the environment looming over this newly constructed authority.

The incoming leadership therefore, led by the Director General—the candidate, Mrs. Patsy Latchman-Atterbury—the incoming leadership will therefore be required to lead a new organization, Mr. Vice-President, in an environment that will certainly—well, that may be not too welcoming. Let me not say “certainly” because there are many voices that may be loud but it does not necessarily mean that that is the majority.

Hon. Senators: [*Desk thumping*]

Sen. Dr. M. Dillon-Remy: I am saying though that the environment may not be too welcoming, and this puts a demand on their leadership abilities and requires them to be able to, I would say, be strong in terms of communication, need to be able to build strong relationships, articulate the vision of the organization, and generally build a well cohesive team—a strong and cohesive team to meet the objectives of this organization whilst achieving industry standards.

It is not going to be an easy task for this new administration and it would be led by the Director General. Section 14(1) of the Trinidad and Tobago Revenue Authority Act says:

“Subject to subsection (2), the Director General shall be responsible for-

(a) the daily management and direction of the administration of the

Authority;

- (b) the daily management and direction of the functions of the Authority as specified in section 6, including the enforcement of the revenue laws by means of civil proceedings;
- (c) advising the Minister, on his own...”

—well, now, “her own”:

“...initiative or at the request of the Minister, on revenue implications, tax administration and aspects of policy changes relating to all taxes referred to in the Schedule, any matter that could affect public policy or public finances and any other matter that the Minister considers could improve the effectiveness or efficiency of the administration or enforcement of the revenue laws; and

- (d) collecting and processing statistics needed to provide forecasts of tax receipts, studying the revenue laws and proposing to the Minister, such amendments as it considers appropriate thereto, so as to improve the administration of, and compliance with, such laws.”

So the candidate before us has a great responsibility.

My understanding of the structure is that this candidate needed to have certain competencies, and, according to what the job description the Minister identified, this person was supposed to have knowledge and skills. Knowledge in terms of—actually, no—minimum qualifications and requirements of the Director General:

- master’s degree, professional qualifications or equivalent postgraduate

qualification in accounting, economics, law, business, public, or other relevant fields;

- extensive experience at a senior level, preferably in the financial economics business sector;
- five years demonstrated experience in tax or custom administration, corporate management or in administration, or other relevant fields; and
- demonstrated experience in driving strategic initiatives in large and complex organizations; and
- strong experience in institutional capacity building.

The last point said:

- regional or international exposure in working in other revenue authorities will be an asset.

My understanding is that the role of the Director General will be to overall lead, but since we are dealing with two areas of revenue, and revenue in terms of general revenue in the Inland Revenue—the work that is provided now by the Inland Revenue, and then the other area was in terms of Customs and Excise, my understanding is that the Director General would be ably, suitably guided in the individual areas by the Deputy Director General as identified here. In other words, one Deputy Director General involves in Inland Revenue and revenue aspect, and then we have the other person who is experienced in the Customs and Excise Division.

So my understanding is that this Director General did not necessarily have to have all the details of either customs or excise, or revenue, but they have to be able to, generally, overall, be able to manage, and from what I see of Mrs. Latchman-

Atterbury's CV, she has the relevant experiences.

Section 13(2) of the Trinidad and Tobago Revenue Authority Act says:

“The Director General and the Deputy Directors General shall be persons who have a minimum of five years' demonstrated skill and experience in the area of tax or customs administration, corporate management or areas such as accounting, economics, law, business, public administration or other relevant fields, and who have a capacity to manage and direct large and complex organisations...”

—which is exactly what came from the job description. So it is in keeping with the JDs, in keeping with the information that came directly from the Act.

The candidates working history, as already has been identified, the Bermudez Group Limited; Bank of Nova Scotia; Tastee Limited, Jamaica; and GK Capital Management Limited, and all at a very senior level, and in my understanding is that these organizations have been very complex. The strengths as identified in her CV—again, I do not know the lady, but the strengths as identified in her CV, having a strong entrepreneurial spirit, strategic business planning, excellent verbal, written communication skills, et cetera, excellent sales management discipline, strong commitment to performance management and leading by example, risk assessment and management, high emotional intelligence—so based on the CV that has been presented before us, the person, I think, is highly qualified.

Hon. Senators: [*Desk thumping*]

Sen. Dr. M. Dillon-Remy: I note however, Mr. Vice-President, that the Director General, the candidate has been out of Trinidad and Tobago for about 28 years; the last job worked from 1996 to now, and upon returning to Trinidad and Tobago for

this particular post, that person would be tasked with a very grave responsibility.

Undoubtedly, her years of experience in an array of work environments that she has faced and dealt with many challenges, however, I must ask in terms of her preparation for the ones that may come within the context of Trinidad and Tobago. I am saying that in the context of the fact that we are in a challenging situation where there is, as I said, so much controversy around this Revenue Authority. It is not that the person is going to be coming into a smooth environment, and the culture of both organizations in the past that will now be merged into one under the Revenue Authority—the cultures of both those organizations, in my understanding, there has been a lot to be desired; a lot to be changed.

So if this person is coming in an environment where you have to be putting in literally a new culture into the environment, in an environment that where the general context is one that says, “This is the way we like it and this is the way we are going to do it”, that person and those persons are going to have a great challenge. So I am saying, this person, the candidate seems to be well qualified in terms of the academic experience, academic qualifications, and may have had a lot of experience at a senior level in companies outside of our country. I am just suggesting—it would be remiss of me if I did not mention that that person or the persons are going to need significant support from the board of the Revenue Authority and from the Ministry of Finance to ensure that they succeed in this very important new entity that we would be having in Trinidad and Tobago.

I do not know that many of us think that it would be possible. My understanding is that many people right now within the Inland Revenue are saying that this will never happen. My understanding is that people within Customs are also saying that, you know, the changes that we are talking about cannot happen in

Trinidad and Tobago. This is my understanding from talking to people within the area. It may not be true, but I am suggesting that, Mr. Vice-President—I had worked in the healthcare system where they try to move from the public sector into the Regional Health Authorities, a system that was fraught with issues, and I am not too sure that we have got it right where we have made that change into the sector, which is now the Regional Health Authorities. I am not too sure that we have made the quantum changes that needed to be made in terms of the environment that people are working in.

1.25 p.m.

So, I am just suggesting that if we want to, as we are saying as people in Trinidad and Tobago that we want our systems to be efficient and this is the system that we are putting into place that it will be required that the Director General will be needing a lot of support to make sure that the environment in which he is functioning in Trinidad and Tobago not for her, but for the system to succeed a lot will be required. Mr. Vice-President, the primary objective of the Revenue Authority is to optimize revenue collection. And therefore, the candidates as I have already said would need, not just the requirements in terms of strong qualifications in terms of the academics but they must be able to work well in terms of a culture change that will be needed so that we are going to get the kind of systems we want into place.

I know we are supposed to be dealing with the suitability of the candidates, but I will just put in one thing here, in terms of I do not know whether the Minister would just want to give us an idea that for this particular post of Director General if we can just have a quick idea of the number of candidates that were had for the selection. Just quickly, so that will make sure, just have an idea in other words

according to Sen. Mark who would have gone before that, it was not a—the process was not tainted in any way so that we can be sure that the candidate that we have here before us—I am not saying that you said he said the candidate was tainted, but I am saying there have been questions over whether the process of the transparency there may have been. I just want to get an idea of that if that is possible.

So, in summary, Mr. Vice-President, we have a Revenue Authority that is going to be started within the next—as soon as possible. And yes, I do take Sen. Mark's comment about, the question about the package, making sure that the package that the persons have been—or this particular Director General has been given we have not heard anything about it as yet and as I know, the Minister said in the other place that that will be presented to us at some point in time. I am just hoping that—because, Mr. Vice-President, I would like to see whatever is put in place called the Revenue Authority succeed and I think that the majority of Trinbagonians would like to see a system that succeeds. Because many of us have been complaining over the years that things need to change and the fact that this is the change that is being brought before us now, and we are now nearer the transition, we are debating now the selection of the leaders of the Revenue Authority. We know issues that will be brought again when you come to the VSEP packages and whatnot for the public servants who are now within the system, we know that that is another hurdle that will have to be mounted, a hurdle that will have to be crossed over. So, I am just suggesting that this is a change that would require the kind of support that is necessary to see that this becomes successful. So, I thank you very much, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Jayanti Lutchmedial-Ramdial.

Hon. Senators: [*Desk thumping*]

Sen. Jayanti Lutchmedial-Ramdial: Thank you, Mr. Vice-President, for the opportunity to just make a couple of brief remarks on this Motion to confirm Mrs. Patsy Latchman-Atterbury in the position of Director General of the Trinidad and Tobago Revenue Authority. Mr. Vice-President, it is, you know, one of the things that I have observed since have been here, and it is probably room for us to consider a change is that whenever we have to consider these motions and appointments, particularly we only have a CV in front of us and when you look in other jurisdictions how it is done you have confirmation hearings, and I always find myself wishing that we could have that system in place here. Because to comment on a person's suitability to hold a very senior position within our agencies, authorities and so on you do not want to deal with what—we are not here to deal with personalities, we do not simply want to deal with what is stated on a piece of paper provided to us, but we want to make enquiries into and as the Minister has said, the suitability of the candidate. And so we could only judge the candidate by what is presented to us on the CV that is circulated and compare that CV to a job description and I do not know that it is the most efficient or effective way for us to really make a contribution.

So, I just make that remark in passing that some sort of system, whether it is in a joint select committee framework or otherwise or some sort of a hearing where someone is allowed to actually—we have hearings where we, after people pick up appointments we can interrogate them about their performance. It might be nice to be able to interrogate someone before they pick up an appointment about their suitability and it might redound to the benefit of the country as a whole if we were

able to have a system like that place. So, that is just a comment in passing.

Having to now look at the CV and make comments on the suitability of the candidate, the first thing that jumps out I think, and which we have already identified is that the candidate put forward does not have any public sector experience and we have to—that is not necessarily always detrimental to a person coming into to lead an organization within the public service. But, I think it is important to contextualize the specificities and particularities of this TTRA.

Sen. Dr. Dillon-Remy alluded to the fact that the challenge that was brought by the Public Service Association, I just want to make one small correction for the benefit of the public, that matter is on appeal and the appeal is pending. So it has not—that particular area of contention is still in existence and there is beyond that, either side may choose to carry it even further. So, what Mrs. Latchman-Atterbury is coming into, is in fact one, what is essentially in private sector terms a merger and acquisition of two long-standing public sector agencies. The Customs Act predates the Constitution, it predates all of us in here I believe, these are agencies that have been operating along the lines of their own culture.

And the word culture came up in the contribution of Sen. Dr. Dillon-Remy because I think that that is extremely important and it is the area of concern that I wish to raise with respect to the suitability of Mrs. Latchman-Atterbury. I have nothing personal against the individual, I do not know her, I am commenting simply on what is before us and what I know of public service agencies particularly these two, and how they operate, both in my private capacity and being here I have had the opportunity to interact as a member of joint select committees and so on with persons who are working right now in customs. And these are the persons when we speak about support being given to whoever heads the TTRA,

these are the persons that this person who will come into the position of Director General will have to rely on in order to operate this agency.

It is made even more apparent that there would be heavy reliance on the public servants or whoever has the experience with Customs and Excise and revenue collection because the individual who is being put forward here for the position does not have that level of technical experience. The level of experience in marketing and distribution and even retail banking and all of that is, you know, she is very well qualified in those areas, but she does not have the technical experience. Now, when you have someone leading an organization who does not have technical experience in the subject matters, she is not a subject matter expert in tax, she is not a subject matter expert in customs and so on and when you—have to look at the functions that the person must carry out, there will be extremely heavy reliance on the persons who are coming into that organization. And I repeat, coming into an organization under a very contentious, you know, circumstances that continue to exist right now.

Section 14 of the TTRA lists the function of that office of Director General. Now firstly, the person may be appointed for a period of up to five years and that period may renewed be later on so, security of tenure is not necessarily there. And for someone to lead a new organization that is a merger of two long-standing, long-existing very large public sector organizations to not have that security of the tenure, I think that is a cause of concern to us as well on this side and to many persons within the country. But specifically, one of the roles and functions that this person has to carry out in accordance with the Revenue Authority law is:

“advising the Minister on...—her—“own initiative”—his or her own initiative—“or at the request of the Minister...”

On revenue implications, tax administration and aspects of policy changes relating to all taxes referred to in the schedule:

“...any matter that could affect public policy or public finances and any other matter that the Minister considers could improve the effectiveness or efficiency of the administration or enforcement of the revenue laws.”

Now, that is a huge responsibility. You are essentially saying that this person with no experience in taxation, no experience in the collection of taxes and levying of Customs and Excise taxes and so on, and no experience in public policy, no experience in advising governments on public policy is supposed to carry out this function, and I find that to be a bit concerning. And I want to put that also in the context of what is publicly reported and is public knowledge as well when Sen. Dr. Dillon-Remy raised the issue of wanting to know how many applicants they may have had and the recruitment process just to ease the concerns of the population.

A recruitment exercise, at the cost of about \$120,000 was carried out and a person was selected, and that person who sits presently I believe on the Public Service Commission as well as the Statutory Authorities Services Commission was rejected by the Government. Now, I—

Mr. Imbert: Point of order, Mr. Vice-President. This Motion is only about the suitability of this person to hold this position. Relevance.

Mr. Vice-President: Sen. Lutchmedial-Ramdial, as you are aware we are discussing two very, very small points. Try to keep your arguments accordingly.

Sen. J. Lutchmedial-Ramdial: You see, Mr. Vice-President, it is important when assessing the suitability of the present candidate you want to understand the context in which this person was recruited, and why the decision was made to choose someone with zero, zero on her entire resume, absolutely no public service

experience when just prior to the recruitment process that supposedly selected her, someone with some of that experience was rejected. So, I put that question and say that I think that this is a very relevant point. Because how can we assess the suitability of this person in this context, if we are not provided with the information as to the reasons why another person might have been rejected for the same position. So, that is I think, an important point that we wish to raise.

Hon. Imbert: Point of order, Mr. Vice-President. This is simply, this Motion 46(1) is about the suitability of this person, for this position.

Mr. Vice-President: Once again.

Sen. J. Lutchmedial-Ramdial: Yes.

Mr. Vice-President: The previous Senator's contribution has asked for an explanation of the selection process as well.

Sen. J. Lutchmedial-Ramdial: Good. Yes, just adding some facts to that selection process thing. Mr. Vice-President, the other thing is that, as I said before you are looking at essentially a merger of two large public sector organizations, and even within the private sector when you are recruiting persons to lead a new organization, you look at experience in mergers and acquisitions. I have looked through the CV very thoroughly, of this particular candidate and I have not seen any sort of experience with mergers and acquisitions within even the private sector.

1.40 p.m.

This is essentially a merger of public sector bodies and you know, governed by a multiplicity of legislation, their roles and their functions, and so, therefore, we would have expected again to see someone who had that sort of experience in the guiding forward—because even in the private sector, it is very well established that when you are dealing with a merger, most mergers—and anyone who has studied

management, anyone who, you know, reads would know that at the end of the day, most mergers fail because of a failure to manage the merger of two different cultures. Culture and the human resource within our public service as a whole is very unique, and I find it difficult to believe that someone who has no public sector experience at all would be able to step into a public sector organization that is supposed to be leading a massive transformation, an overhaul of our entire tax system—tax collection system.

Secondly, that that person stepping into the environment, where there is severe resistance to the change, an environment with unions, an environment with the transitioning of people coming in and having to transition from their previous positions into new positions, the fact that many people may not transition and that you may lose a whole host of institutional knowledge from persons who opt not to transition over into the TTRA, these are the circumstances coming in here and again, we have not been presented with any information. As I said, if we had the opportunity to interrogate the person individually, maybe we would find that the person has some experience in dealing with mergers and managing, you know, the cultures coming together and so on of different private sector agencies and how they expect to utilize those skills to manage this process, but we do not have that opportunity. We only have what is before us. We do not have any evidence to support the notion that this person would be suitable to manage this thing going forward. This is not someone coming into an established TTRA. This is the first person to pick up this particular position, the first person who will have to manage all of the teething problems. The first person who—and I am happy that, you know, Sen. Dr. Dillon-Remy made reference to the transition from the Ministry of Health, managing the entire health sector, into RHAs. Look at where we are with

that today. Just look at where we are with that today, and it is—

Sen. Dr. Browne: Mr. Vice President, and I am sorry to interrupt on a point of order, but Standing Order 53(1)(b). The Senator is actually saying that she is repeating a prior contribution.

Sen. Mark: No, she is responding. [*Inaudible*]—to respond.

Mr. Vice-President: Whilst you make an attempt to defend your points, please be aware of tedious repetition, please.

Sen. Mark: [*Inaudible*]

Mr. Vice-President: Sen. Mark. Continue, please.

Sen. J. Lutchmedial-Ramdial: Because the point was made, Mr. Vice-President, and I wish to support that point and I wish to reiterate—

Sen. Mark: Exactly.

Sen. J. Lutchmedial-Ramdial:—that we have a situation here where we have had the experience of bringing in people without technical competency in the subject area to be managers of organizations that are meant to carry out public functions and they are failing miserably. That is the point.

Sen. Mark: Exactly.

Sen. J. Lutchmedial-Ramdial: That is the point. They are failing miserably because fit for purpose is important. I am making the point that anybody looking at the CV, as we are required to do, looking at what is required, considering the environment that exists right now and considering the history in this country of transitioning public functions into bodies that should operate as statutory authorities and so on in a private sector manner, we are not certain that this is an appointment that we could support because we do not deem it fit for purpose. I thank you.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Sunity Maharaj.

Hon. Senators: [*Desk thumping*]

Sen. Sunity Maharaj: Thank you. Thank you, Mr. Vice-President. The previous speaker mentioned the CV as a basis for making a decision as a matter in passing. For me, it is the heart of the matter. I am quite sure that this selection was made, whoever made it, was not made on the basis of reviewing a CV. All a CV does is introduce the person to you. The person makes the cut from the large number of applicants, then you begin the process, interviews, background checks, references, psychometric service reviews, in some cases, even polygraphs. So we have no idea of what went on beyond the receipt of a CV as we are receiving, but I am guaranteeing everybody here that a lot more would have gone on. What that is, is what we do not know, and I believe that far more information should be supplied about persons who are to occupy very senior positions in this country, positions that require trust and confidence. No member of the public ought to buy literally what is called “cat in bag”.

Therefore, with no prejudice whatsoever to the candidate, I would like to focus on the process by which the Parliament has been co-opted for endorsing critical positions in this country. We have seen, for other positions outside of the Revenue Authority, how badly some of that has worked, has turned out to be. People have had to be relieved, people have lost public confidence because the process is fundamentally flawed. I raise that in the context of the fact that we are going through some form of constitutional reform conversations, which I am not quite clear because I am told it is a constitutional reform advisory committee or whatever, but I think we have to penetrate this issue a lot more to think, how do we

get this system to work. If you are asking—if you are saying that certain positions, certain institutions need the support of the Parliament as a large representative body in the first case of the electorate and in the other case of interests, we have to have some process by which more information can be provided to us to be useful. As it is, it is a rubber-stamping.

I think my colleague, Sen. Dr. Dillon-Remy—oh no, I think it was Sen. Lutchmedial-Ramdial spoke about other jurisdictions where you have a betting process as it were. You come before—and I do not think we can just—a joint select committee, that does not offer that here. That is a totally different Constitution, where the Executive is held to account by the Legislature. The Executive is not in the Legislature, and I think the most common example of that is the American system. And therefore, I want us to recognize the limitations of the system. I do not want to deal with the woman, I not want to deal with the candidate. I do notice, however, that among the things you would want to consider, as Sen. Dr. Dillon-Remy raised, is this issue of public trust. This is already an institution mired in controversy. The Government is proceeding. The Opposition is challenging. How can we be assured? We have to be extremely diligent in finding a leader of this authority that has the moral authority to carry and to survive that period.

One of the things that—a point that has been raised, of course, is this is largely a private sector person. You would want to be convinced as a member of the public about the nature of these relationships and therefore, how it might influence judgment, decisions. I see what the Government is trying to do here of bringing someone who has managerial experience and to be supported by the experts in the field of customs and of taxes, and those are the experts. I am

supposing that neither of those experts were thought to have the capacity for managerial—managing change.

I see some reference that may suggest that the person has had some experience in a start-up, but most of it is, you know—these are very settled companies. Tastee in Jamaica, they have been making patties forever. They sell patties. Right? But I will just leave that and ask us to challenge ourselves not to be satisfied with a system that cannot work and is not working. We cannot even begin to evaluate this candidate on the basis of a CV. I have personally never hired anybody for over decades of managing on the basis of a CV. All the CV tells me is that you may be interesting to talk to. That is about it. So I hope you would therefore understand when I abstain on this matter. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Minister of Finance.

Hon. Senators: [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you very much, Mr. Vice-President. Mr. Vice-President, I have grave difficulty in responding to anything Sen. Mark said. I was wondering what slander would occur, but it appears that Sen. Mark was not able to dig up any dirt on this particular individual and therefore, the accusation was that Mrs. Latchman-Atterbury, as an employee of GraceKennedy, the Managing Director, had participated in an arrangement with the Unit Trust of Trinidad and Tobago to launch mutual funds in Jamaica two years before or, at least, one year before that post was even advertised. It is absurd. But quite apart from that, if you want to get somebody who is qualified and experienced—sufficiently qualified and experienced to deal with this very important and complex assignment, by definition, you are going to have to find

somebody who has operated in the financial sector at some point in time in their life.

I think we should—instead of condemning a particular individual who was the managing director of a very large security—a financial institution in Jamaica and engaged in collaboration at a Caribbean level, where the Trinidad and Tobago Unit Trust Corporation is broadening its reach, broadening its horizon, engaging in true inter-Caribbean collaboration with a large financial institution in Jamaica, I think that is something we should be proud of. We should be glad that the Unit Trust is doing this sort of thing.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: To use that as an example and disqualify this lady is just puerile. But I am very happy that Sen. Mark was not, in his usual fashion, able to make any scandalous allegations about the person before us.

Now, to deal with what Sen. Dr. Dillon-Remy raised, the point is that the Revenue Authority is completely new entity. It is designed to move away from the traditional bureaucratic strictures of the public service. It is designed to create a new paradigm. It is designed to bring a completely new approach to revenue collection. You would have heard of the tax gap that exists for all sorts of reasons, including tax evasion, lack of proper auditing, lack of staff and so on. Therefore, the person that you want to lead this brand new organization, which is really supposed to be—the person is supposed to be thinking outside the box, is supposed to bring a brand new culture, that you want somebody different. That is why this particular individual with her extensive public sector experience—sorry, private sector, extensive experience in managing complex private sector—large private sector organizations in various different types of endeavour, when one looks at the

CV, one sees the person was a Senior Manager in Scotiabank for over 10 years, so the person has substantial banking experience. One then sees the person has held many top positions in large business organizations in Jamaica and also in Trinidad. The person to deal with the whole question of the person's experience for the last several years being in Jamaica, Sen. Dr. Dillon-Remy, through you, Mr. Vice-President, the person's first 10 to 15 years of working experience was in Trinidad.

1.55 p.m.

And then yes, the person is also, in fact, a Trinidadian. That is to refute some of the nonsense uttered by Sen Mark. The person, she is a Trinidadian, she moved to Jamaica, and has worked there since then, but her first 10 to 15 years were working in Trinidad. That is why—she did her degrees. Her first degree is from the University of the West Indies, St. Augustine.

Hon. Senator: He wants to take away your [*Inaudible*]

Hon C. Imbert: So, you are dealing with a person who is Trinidadian by nationality, and has worked in large organizations in the banking sector and the manufacturing sector in Jamaica. This in my opinion, of course, as I have said in other place, that you really do not know how somebody will perform until they assume the position. And that is to take some of what Sen. Maharaj said as being very relevant, that you really do not know.

You are looking on paper and you are seeing a person's paper credentials. You are seeing that they have held a very senior positions, you are seeing that they have a wide range of expertise, but you really do not know how the person is going to react to some sort of critical situation until they are actually in the position. But how does one know that until you actually put the person into the position? When

you are selecting somebody for a position like this, as Sen. Maharaj has indicated, the CV qualifies the person to be interviewed and then you do various tests.

You do your psychometric testing, you will have a panel of interviewers, you will, you know, dig as deep as you can into the person. You would have scenarios, what-if scenarios, you have simulations, and see how the person reacts to that, and based on that you will select the most suitable person. To answer a question Sen. Dillon-Remy asked, there were 101 applications for the position of Director General TTRA, 101.

So, it was not a sole select exercise as Sen. Mark, will have us to believe. So, that, I believe that even though the system as Sen Maharaj has indicated—Sen Maharaj believes that the system is inadequate that there should be a more robust system in terms of selection but that is the system that is what is in the law. The law indicates that the authority will advertise, they will go through the process, they will come up with the best person, and they will present that person to the Government, and the Minister of Finance, who will then after due consideration appoint the person, bring it to the Parliament for consideration that is our law. Our law has not changed yet, to have a system of hearings.

I do believe that for certain positions there should be hearings for, you know, important positions in this country, like Speaker of the House, for example, where there should be psychometric testing, at least of a former one. But the point is, that this is the system. One can only go on what is presented and I do believe when one looks at this person's qualifications, that this person is extremely qualified and this person has vast experience.

Sen Mark: [*Inaudible*]

Hon C. Imbert: I do not know what Sen. Mark is screaming about, Mr.

Vice-President. I do not know what he is muttering about. I have no idea.

Hon. Senators: [*Laughter*]

Sen Mark: The Minister [*Inaudible*]

Mr. Vice-President: Sen. Mark. Sen. Mark, please desist from the loud crosstalk and commentary, allow him to finish his contribution. Thank you.

Sen Mark: [*Inaudible*]

Hon C. Imbert: Mr. Vice-President, I have no idea what he is muttering about.

Sen Mark: [*Laughter*]

Hon C. Imbert: [*Laughter*] But clearly there are some paranoid delusions here. So, Mr. Vice-President, I have no idea what these ad hominem remarks are all about, but clearly there is an issue there. But, be that as it may, with respect to this particular individual, I think this person at least meets whatever threshold has been set within the law. I think the person exceeds the threshold, just based on the qualifications of the person. I am satisfied the process of interviewing and testing was extremely robust and rigorous and I do believe that based on what we are seeing that the person has what it takes to lead this new organization which must be different to the traditional public service and this is why I disagree with Sen. Lutchmedial-Ramdial.

This is not a public service organization. This is a semi-autonomous authority and the reason why it has been created is precisely because the traditional public service approach is not working. And therefore, you need people who are going to bring fresh ideas, who are going to bring a different approach, who are going to bring a more efficient approach, a more proactive approach, and that is exactly what you will find within suitably qualified persons within the private sector.

[MR. PRESIDENT *in the Chair*]

Hon C. Imbert: I heard Sen. Mark, say that we should hire some young person but that is in complete contradiction to the job description. The job description demands the person must have experience at a senior level in managing complex organizations. But how can you have a person just out of school having the required experience, knowledge and expertise in managing a complex organization at a senior level, when they just graduate last year?

I mean it is an absurdity and it was clearer to me that Sen. Mark was simply filibustering because he had nothing to say, because he could not find any dirt on this particular individual and it is tragedy. It is a tragedy that for something like this—this is why a lot of people are reluctant to do public service, because they come to Senate and somebody will just nasty your name for no reason except parties and politics.

Hon. Senators: [*Desk thumping*]

Hon C. Imbert: This is what is wrong with this country. That is why we have difficulty in getting good people to do public service because the Opposition is simply interested in “nastying” people’s name for no particular reason.

Hon. Senators: [*Desk thumping*]

Hon C. Imbert: Disgusting, absolutely disgusting. And to answer the question as to whether this person has accepted the position, yes, and as soon as this parliamentary process is over, once this hon. House supports the appointment of this lady—the other place has already done so—I am advised that this person will take up office in July of 2024. So that answers that question.

Hon. Senators: [*Desk thumping*]

Hon C. Imbert: And with those few words, I beg to move.

Hon. Senators: [*Desk thumping*]

Question proposed.

Sen. Mark: No. Division.

The Senate divided: Ayes 23 Noes 6

AYES

Browne, Hon. Dr. A.

Armour SC, Hon. R.

Gopee-Scoon, Hon. P.

Sinanan, Hon. R.

West, Hon. A.

Mitchell, Hon. R.

Bacchus, Hon. H.

Sagransingh-Sooklal, Hon. R.

Sookhai, Hon. R.

Lezama-Lee Singh, Mrs. L.

Hislop, L.

Seales, M

Ibrahim, Dr. I.

Hosein, K.

Singh, Hon. A. Richards, Dr. P.

Vieira SC, A.

Teemal, D.

Thompson-Ahye, Mrs. H.

Dillon-Remy, Dr. M.

Hutchinson, Prof. G.

Patasar, Dr. S.

Francis, H.

NOES

Mark, W.

Lutchmedial-Ramdial, Mrs. J.

Roberts, A.

Gosine, C.

Nakhid, D.

John, Ms. J.

Ms. S. Maharaj abstained.

Mr. President: Hon. Senators, the result of the division is as follows: 23 Senators voted for, six Senators voted against, and there is one abstention. As such the Motion is passed.

Question agreed to.

Hon. Senators: [*Desk thumping*]

Mr. President: Minister of Finance.

Hon. C. Imbert: Thank you much, Mr. President, and I thank all Members, especially the Opposition, for agreeing that we can do these two matters together

and the Independents, of course.

2.05 p.m.

Mr. President: The Minister of Finance.

**TRINIDAD AND TOBAGO REVENUE AUTHORITY ACT
(APPOINTMENT OF DIRECTOR GENERAL - MRS. HELEN
THOMAS-BROWN AND DEPUTY DIRECTOR GENERAL - MR. RIAD
JUMAN)**

The Minister of Finance (Hon. Colm Imbert): Thank you very much, Mr. President, and I thank all Members, especially the Opposition for agreeing that we can do these two matters together, and the Independents, of course, sorry.

Mr. President, I beg to move Motion No. 2 standing in my name. In moving this Motion I seek the leave of the Senate in accordance with Standing Order 48(1), to debate together with this Motion, Government Motion No. 3, which relates to the same subject.

Question put and agreed to.

Mr. President: The Minister of Finance.

Hon. C. Imbert: Thank you very much, and I wish to thank all Senators, especially the Opposition and the Independents for agreeing that we can do these two together.

Dr. Browne: And the Government.

Hon. C. Imbert: Well the Government, naturally. I beg to move the following Motion standing in my name:

Whereas section 13(1) of the Trinidad and Tobago Revenue Authority Act, 2021 (Act No. 17 of 2021) provides, inter alia, that the Minister shall, by Notification subject to affirmative resolution of Parliament, appoint the Director General and such number of Deputy Directors General of the Authority as are required;

And whereas the Minister of Finance has, by Notification dated the 15th day of March, 2024 appointed Mrs. Helen Thomas-Brown to the office of Deputy Director General - Domestic Tax of the Trinidad and Tobago Revenue Authority with effect from the date of her assumption of duty in that office;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the appointment of Mrs. Helen Thomas-Brown to the office of Deputy Director General - Domestic Tax of the Trinidad and Tobago Revenue Authority be approved.

And as I indicated, Mr. President, I shall also speak on the appointment of Mr. Riad Juman to the other post which deals with Customs.

Mrs. Helen Thomas-Brown is career public servant who entered the public service in 1982. And this goes to the point made by Sen. Dillon-Remy in the other debate. These two positions are to be filled by subject matter experts, one on domestic tax and the other one on Customs, who would then assist the Director General who is essentially intended to be a Manager.

So Mrs. Helen Thomas-Brown is a career public servant who entered the public service in 1982 in the position of Clerk I, Ministry of Labour, Social Security and Cooperatives. She held this position for a period of three years, until moving to the position of Clerk II, Ministry of Health. She held that position in the Ministry of Health for a period of eight years, until 1993. She then moved into the Inland Revenue Division as a Field Auditor for a period of nine years. During this period Mrs. Helen Thomas-Brown performed extensive field audited examinations to determine tax liabilities in accordance with appropriate legislation. This included the examination of accounting system on records, performing various

analysis, sourcing third party information, advising in tax matters, raising assessments based on audited findings.

In 2000 Mrs. Helen Thomas-Brown moved to the position of Field Auditor III, which she held for a period of five years with the Inland Revenue Division. During this time she determined objections to VAT assessments within statutory provisions, and the review of audits further investigative and analytical work. Mrs. Thomas-Brown also liaised with legal representatives, attended to matters before the Tax Appeal Board and lectured at the Inland Revenue Training Centre.

In 2005 Mrs. Thomas-Brown moved up to the position of Accountant IV, Inland Revenue Division. In this position she performed duties of an accounting nature, including authorization of payments, refund, reports of expenditure and revenue annual estimates and supervising a multifunctional staff.

In 2007 she moved to the office of the Integrity Commission of Trinidad and Tobago where she held the position of Investigating Analyst Financial Investigator for a period of seven years. During her time at the Integrity Commission she performed work of a highly confidential nature in a highly confidential environment.

In 2014 Mrs. Thomas-Brown moved back to the Inland Revenue Division to hold the position of Field Auditor IV, and in this position she supervised the group audits, in Petroleum and large tax payers' business unit with respect to the energy sector. She was also responsible for advising, review and approving audited cases. She has also held the positions of Field Auditor V and Assistant Commissioner of Inland Revenue Division for the period 2016 to 2022. During that period she was responsible for the management of the petroleum and large tax payers business unit, and for allocation, training and development of staff to achieve the

organizational goals, developing of initiatives and strategies, compliance of audit assessments, research and analysis interpretation of tax laws, provision of technical advice in respect of internal and external matters, and liaising with external stakeholders.

She has also represented the Board of Inland Revenue on several external committees, provided technical advice and reviewed objections to tax assessments, collaborated with the legal unit of the Board of Inland Revenue in appeal matters. She currently holds the position of Commissioner of Inland Revenue since 2022. In that position she is responsible for providing leadership and strategic direction of the Division's operations, ensuring the management of the legal objections tax administration and library functions of the Inland Revenue Division. She manages the debt management District Revenue Services and Training Functions for the Division, and she is associated with the Division's representation at international tax organization events. Also prepares executive performance reports, and is engaged in every aspect of the Inland Revenue Division's operations.

Her educational background is as follows:

- She is a fellow member of the Association of Chartered Certified Accountants.

Now, in the other place a question was raised with respect to whether she held a Master's Degree. Because when one looks at the job description it indicates that the person must hold either a Master's Degree or an equivalent combination of training and experience. However, as I said in the other place and I will now reiterate, in order to become a fellow member of the Association of Chartered Certified Accountants one must not only meet the requirements for membership to be a chartered accountant, but as time goes by one gains experience and one

engages in something call, professional development within the field of accounting. In order to become a fellow member of the Association of Chartered Certified Accountants one must engage in professional developmental. And on attaining the required—meeting the required standards of professional developmental and having the relevant experience one is then awarded the position of fellow, which is equivalent to a Master’s Degree in another field. So she does have the equivalent of a Master’s Degree by virtue of her being a fellow of the Association of Chartered Certified Accountants

She also has a Bachelor of Business Administration with a Major in Management from Andrews University, USA—I think someone here might have a degree from that university—and a Diploma in Transfer Pricing from the Inter-American Centre of Tax Administration, a certificate in Institutional Governance from the OECD, CIAT, IOTA, IMF Organization, a certificate in Reform Management, setting up a reform programme, again from that same institution OECD, CIAT, IOTA, IMF, another certificate in Reform Management Fundamentals. Again from the same organization, OECD, CIAT, IOTA, IMF, and another certificate again, Strategic Management Module for Tax Administration from the same organization. She has a certification in Income Tax Law and Practice, Advance Accounting and Examination of Accounts from the Inland Revenue Division, and she is also a past student of St. George’s College where she did her O Levels and advanced levels.

It would seem to me that this is a subject matter expert. It would seem to me this person is highly qualified, both academically and professionally and has vast experience in tax administration. And if I have not hesitation in recommending Mrs. Helen Thomas-Brown to lead in the position of Deputy Director General -

Domestic Tax.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: I move now to Mr. Riad Juman who is being proposed for the position of Deputy Director General - Customs & Excise. He is another career public servant. He started his career as Internal Auditor at the Ministry of Education in 1991, a position he held for five years. He then joined the Customs & Excise Division in 1996 as a Customs & Excise Officer I, and subsequently held a series of positions within the Customs & Excise Division, starting with:

- From 1996 to 2015 he was the officer assigned to the Customs Marine Interdiction Unit whose duties involved Detection and Combating of Smuggling of Illicit Drugs, Arms and Ammunition through our Borders.
- From 1998 to 2014 he was a member of the Customs & Excise Firearm Training Team.
- From 2004 to the present day he is the officer in charge of the Customs Marine Training Programme.
- In 2006 to July 2012 Officer in charge of Vessel Maintenance with Procurement.
- From 2012 to 2015, Supervisor of the Marine Interdiction Unit.
- In 2015 to 2016, Supervisor of the Customs & Excise Container Examination Station in Point Lisas.
- From 2016 to 2017, Supervisor of the Customs & Excise Training School.
- April 2017 to September 2017, officer in charge of the Point Fortin and vital La Brea Ports;

- February 2018 to December 2021 Collector of Customs, and January '22 to 2023, Assistant Comptroller of Customs.
- His educational background is as follows:
- He has a Master's Degree in Business Administration from the Anglia Ruskin University, and he has a Degree in Security and Risk Management from the University of Leicester, Department of Criminology, and he is a past student of St. Mary's College.

I think it is necessary I read this out in the other place and I think I need to read this out here, to show you this man's experience:

- In 2016—these are all the courses he has done—Instructor Developer Training, Bureau of Diplomatic Security US Department of State, Office of Anti-Terrorism;
- 2016 again, Bio-Safety for Border Control, UWI;
- 2014 International Border Interdiction Training, US Customs and Border Protection;
- 2014 Maritime Interdiction Operations, NDC, CICAD, OAS, SEFAD, **DGDDI**;
- 2013 Maritime Port and Harbour Security Management, Office of Anti-Terrorism Assistance, Bureau of Diplomatic Security, US Department of State;
- 2013 a course in Environmental Management with the Delaware National Guard and the Trinidad and Tobago Defence Force;
- 2013 Basic Knowledge and Awareness of Radiation Emergencies with the ODPM;
- 2012 Police Investigation on Cocaine Trafficking by Sea and Drug

Trafficking by Container with COPOLAD;

- 2012 Risk Assessment and Management in Maritime Security with the OAS and the Ministry of National Security;
- 2012 combating illicit trafficking in firearms ammunition and explosives with UNLIREC;
- 2012 Maritime and port security Counter-Terrorism, Centre for Strategic Studies, Galilee International Management Institute;
- 2010 Train the Trainer, Arthur Loc Jack School of Business;
- 2010 CARION Liaison Programme Training, US Customs and Border Protection;
- 2009 Customs & Excise Marine Interdiction Safe Boat Port Security, US Customs and Border Protection;
- 2009 New Development in Terrorism and Counter Terrorism, Special Anti-Crime Unit of Trinidad and Tobago;
- 2008 Advance Operations Instructor Training Programme, US Customs and Border Protection Advance Training Centre.

2.20 p.m.

- Again, in 2008, Train the Trainers course, Special Anti-Crime Unit of Trinidad and Tobago;
- 2008, again, firearms and tactics Instructor Training Programme, U.S. Customs and Border Protection Advanced Training Center;
- Again, in 2008, Designing and Implementing a Security Plan in the Workplace, School of Business and Computer Studies;
- 2007, Maritime, Port and Harbour Security Management, Anti-Terrorism Assistance, Bureau of Diplomatic Security, U.S. Department of State;

- 2006, Caribbean Border Enforcement Training, Canada Border Services Agency and Royal Canadian Mounted Police;
- 2006, RCS 2000 training course, Customs and Excise;
- 2004, Narcotics Investigators course, Caribbean Regional Drug Law Enforcement Training Centre;
- 2004, again, basic intelligence, U.S. Department of Justice, Drug Enforcement Administration;

And there is more—

Sen. Vieira SC: Minister?

Hon. C. Imbert: Yes?

Sen. Vieira SC: Sorry to interrupt you. Would it be fair to say that customs duties and taxes on imported and exported goods, and the enforcement of border patrol measures are part of the functions of the Revenue Authority?

Hon. C. Imbert: Yes, we have an Enforcement Division, which deals with the enforcement of the custom laws with respect to smuggling and all those nefarious activities. Yes, it is true.

So in 2003, the individual, Mr. Juman, did an Advanced Boarding Officer course, U.S. Coast Guard.

- 2002, Airport Interdiction Training course, U.S. Customs Service;
- 2002, Maritime Interdiction training, U.S. Navy, Special Warfare Unit;
- 2001, monitoring and control of imports and exports of ozone depleting substances.

The reason why I am reading this all out I want you all to understand that when one reads Mr. Juman's CV, he has experience, qualifications and training in virtually every single aspect of customs operations, especially dealing with

enforcement and dealing with smuggling and illegal importation of drugs, arms and ammunition and so on.

- 2001, combined task unit training, U.S. Navy, Special Boat Unit 20;
- 2000, counter-drug training support, Naval Special Warfare Unit;
- 1999, Outboard Motor Maintenance, U.S. Coast Guard;
- 1999, basic marine law enforcement, U.S. Customs Service;
- 1999, Boarding Officers Course, U.S. Coast Guard;
- 1998, Radar Communication and Navigation, Trinidad and Tobago Coast Guard;
- 1997, Port Security, U.S. Coast Guard;
- 1997, basic firearm training, Customs and Excise;
- 1997, basic marine training, Customs and Excise.

So that one sees from all the many, many courses that Mr. Juman has been successfully participated in, from his bachelor's degree, from his master's degree and from his vast experience in customs, that Mr. Riad Juman certainly fits the bill to be the Deputy Director General in charge of—let me get the correct designation, Deputy Director General in charge of Customs and Excise.

So going back to earlier points, Sen. Dr. Dillon-Remy made the point that the Director General has to be a manager, a very effective, proactive, high-profile, experienced manager, but will be supported by subject matter experts and we now have two subject matter experts, one from domestic tax, one from customs. You could hardly get people more qualified and experienced than these two people. Therefore, I beg to move that the Senate endorse and accept the appointment of Mrs. Helen Thomas-Brown and Mr. Riad Juman to be Deputy Director General, Domestic Tax, and Custom and Excise, respectively. I beg to move.

Hon. Senators: [*Desk thumping*]

Question proposed

Mr. President: Hon. Senators, you are reminded that leave has been granted for Government Motion No. 3 to be debated together with this Motion. Sen. Mark.

Sen. Wade Mark: Thank you, Sir. Mr. President, these two particular office-holders that are before us as nominees to fit into the positions identified in the resolution just read by your good self, that of Deputy Director with responsibility—Deputy Director General that is, with responsibility for customs and excise, and then you also have that office working closely with the previously approved Director General for enforcement purposes. And of course, Mr. President, we have a second nominee before us, a Deputy Director General that is responsible for domestic taxes. Both have had extensive experiences and services within the public service structure, according to what has been circulated to us.

So Mr. Riad Juman as Deputy Director General with responsibility for customs and excise, to some extent, enforcement, has had his career mapped out for him in the public service. And what we have seen, Mr. President, is that from 2022 to the present time, he has served in the public service in the appointed position as Assistant Comptroller of Customs and Excise between 2022 to the present period. The Minister has indicated that—and, in fact, in the CV, in terms of the job description, he has to possess a master's degree, which he has, and it is in the résumé that is before us.

My concern is, and I would like the Minister to clarify for us, both positions, Mr. President; both, Deputy Director General, Domestic Tax, and Deputy Director General, Customs and Excise, the job description and the legislation, but more so the job description says that both office-holders, once they accept these

appointments, will be placed on contract. This is troubling and worrying. Does it mean, Mr. President—

Mr. Imbert: Mr. President, Standing Order 46(1), this debate is not about the TTRA Act, the questions of the person being on contract. It is about the suitability of these people to hold the positions. Sen. Mark is straying into extraneous matters again, 46(1).

Mr. President: So, Sen. Mark, you just want to be a little bit tighter in terms of your contribution. You have indicated that you have an issue with the two appointments. I would ask you to get to that very, very quickly, state what the issue is, because the Minister of Finance is correct, it is about the suitability of the candidates that are being put forward.

Sen. W. Mark: But, Mr. President, are we allowed to look at the job description? Because the job description tells you what this person will be doing in the context of what is before us, and I am saying if you go on the system, which I have gone on, the first thing that you will see is that the job description talks about contract, and that is what I am referring to. I am not talking about the TTRA legislation. That is not before us. I am talking about the job description. The job description, Mr. President—

Mr. Imbert: Mr. President, point of order, 46(1), this is about the person. That is all.

Mr. President: So, Sen. Mark, the context of all that we are doing right now is that there is a position, there is a person being nominated to that position, résumés have been circulated, the Minister of Finance has supported the Motion by indicating qualifications of the individuals that are being nominated. If you have a response to that, I invite you to do so now.

Sen. W. Mark: Mr. President, if we cannot debate a matter in the way that we ought to debate it—because what I am asking, we have a résumé that is before us, and I am going through the résumé side by side with the job description. That is all I am doing. I am not dealing with the personality, because all this would deal—so I am asking, through you, Mr. President, whether the Minister will indicate to us when he is winding up—because when I look at the suitability of the Deputy Director General and the experience and knowledge of that individual in the context of the management of taxation in tax administration, given the experience over the years, you will see this person, Helen Thomas-Brown, has had considerable knowledge of this particular office that she is being asked to serve in. And at one time, I thought that whether we had made a mistake because this Deputy Director General seems to be more suitably placed to take up her position as Deputy Director General than what we just approved. Because this person is showing you in the résumé over the years where she has come from and the years of training, experience, exposure, knowledge of this process that the Deputy Director General is called upon in the area of domestic taxes to address.

3.25 p.m.

So this person clearly, from what we are seeing before us, seems to have had the experience and knowledge. So that is the point I am making, in terms of what is before us. Okay? And when we look at the other individual, Mr. Riad Juman, who has had a long career in the public service in the area of custom and excise, again when you look at it, from his experience, his knowledge, his upward mobility towards the area that he currently occupies, Mr. President, you are seeing an individual who even though in principle we oppose this question of what we are dealing with, we are not dealing with the individual, per say, even though we know

that is before us. All I am saying is that this individual seems to be rooted in the knowledge and experience as it relates to customs, as it relates to excise, as it relates to that whole gamut that is necessary for him to take up this assignment or this appointment, as it relates to Deputy Director General with responsibility for customs and excise, Mr. President.

The issue I would like to ask, through you, to the hon. Minister, have these individuals as I posed in the initial area of the Director General, have these individuals telegraphed to the Minister that they have accepted this position? So when he is winding up, he can tell us. And can the Minister also tell us in his winding up, Mr. President, whether, for instance, the terms and conditions as it relates to the Deputy Director's position have they been settled; and have these people accepted these terms and conditions? And as I am on this particular point may I also enquire, Mr. President, whether these persons—I was surprised at the length of service that the Deputy Director General with responsibility for domestic taxes has had in the public service, over three decades of experience. I am seeing that in the résumé.

So I want to ask, through you, to the Minister when he is wrapping up, whether this person will be able to enjoy whatever pensions they would be entitled to?

Mr. Imbert: Mr. President, point of order. No part of this Motion which deals with section 13(1) of the Revenue Authority Act, addresses that point Sen. Mark made. Relevance. He is on a fishing exhibition. He is clearly filibustering

Mr. President: So Sen. Mark, you—one second, Minister. Sen. Mark, so you have made two points so far and the first being that the two nominees before us are probably or most likely overqualified for the position that they are being put

forward for; and secondly, asking the question of the Minister of Finance as to whether they have accepted. The point that you are trying to make now in relation to pension is not relevant to what is before us. Given the two points that you had made before, I ask you now to move on to something new. If you have it there is no need to circle back around to those points. We have heard it. The Minister of Finance, I am certain, has taken note so I would ask you to bring new points going forward.

Sen. W. Mark: So as I said, Mr. President, I do not know—anyway I would not go there. As I said, when it comes to these two positions within this structure that we are dealing with, we are very clear that these people who are going to be placed there, they seem to have had the experience. Unfortunately, we cannot support, Mr. President, this particular arrangement that we are dealing with to fit these two offices into a structure that will not provide the kind of permanence that they currently experience within their current areas of employment. And that is the point I wanted to put to you as it relates to both Riad Juman and Helen Thomas-Brown.

Now, I understand without casting any aspersions, when it comes to the question of this particular officeholder or this particular Deputy Director General with responsibility for taxation, based on some research that I have conducted into this individual, I understand, Mr. President, that—and I cast no aspersions on anyone.

Hon. Senators: [*Crosstalk*]

Sen. W. Mark: I cast no aspersions on anyone, Mr. President. I want to make that very clear. I do not know the individual, and even if I know the individual, I am not about that. But I understand, Mr. President, from research

conducted by myself that citizens who have had funds owed to them by the Board of Inland Revenue, for example, have had to wait so long to secure those funds even though commitments were given to have those funds given.

Mr. Imbert: What are you talking about?

Sen. W. Mark: I am talking about this individual. We are dealing with the suitability of this individual. That is what I am dealing with here. So do not rush to 46(1) yet. And what the research is showing, is that individuals, Mr. President, have had to go to the Tax Appeal Board of Trinidad and Tobago.

Mr. President: Sen. Mark, I am trying my very best to figure out where you are going. You started off—I am confused. They are either overqualified or they are not. If you are talking about suitability, you are now saying that they may not be suitable, one of the two, but you are offering a whole different area than what is before us in the position that they are in and the qualifications that had been read out. I cannot even twist it to make it relevant. It is just not relevant, period. So I am going to have to invoke Standing Order 46(1) at this point and ask you to wrap up because it is very difficult to make a 40-minute argument for a lack of suitability after you have already indicated that they are overqualified. It just will not gel. So you cannot—at this point I will ask you to wrap up.

Sen. W. Mark: Mr. President, I myself I am trying not to engage you or anybody else in this matter in the way that I think I ought to, but I would say for purposes of this debate and to avoid any misinterpretations of what I am about or I wanted to advance to you, I will pause at this time and simply indicate in my closing remarks that the two individuals that are before us and the offices that they are seeking to fill, they seem to have had the experience over the years. There are some question marks involving, one, that is the individual that is in the area of domestic taxes. I

will not burden you with that reservation at this time as it relates to that particular individual. All I will tell you in closing is that from a policy perspective, from a principle perspective, we cannot, we will not support the structure and the law that is giving effect to these offices—

Sen. Dr. Browne: Mr. President—

Sen. W. Mark:—and it is unfortunate that these individuals—

Sen. Dr. Browne: Mr. President, a point of order. This is abuse of the Standing Orders. Standing Order 53(1)(b). This is maybe the seventh time the Senator has said the same formulation, the same sentence. What are we doing? Come on.

Mr. President: Okay. So Sen. Mark you have indicated that this is your closing statement. Summarize and close.

Sen. W. Mark: I do not know why you are so—

Mr. President: Sen. Mark, summarize and close.

Sen. W. Mark: I do not know why you are so antsy.

Mr. President: Sen. Mark, summarize and close.

Sen. W. Mark: Why is it you are so antsy?

Mr. President: Sen. Mark—Members, let us not lose ourselves in this Chamber. Sen. Mark, you have indicated that you are closing, which suggests that you summarize and close.

Sen. W. Mark: Mr. President, I am very calm today because we are very clear on what we are doing with these particular issues that are before us, and I will just close by indicating that we do not support what is before us. In the context of the individuals—because we have nothing against the individuals. We have a problem, Mr. President, with the structure. So with those few words, I will rest my case.

Mr. President: Sen. Vieira.

Sen. Anthony Vieira: Thank you, Mr. President. Mr. President, section 13(2) of the Trinidad and Tobago Revenue Authority Act provides:

“The Director General and the Deputy Directors General shall be persons who have a minimum of five years’ demonstrated skill and experience in the area of tax or customs administration, corporate management or areas such as accounting, economics, law, business, public administration or other relevant fields, and who have a capacity to manage and direct large and complex organisations and who have an understanding of the welfare of employees.”

That is pretty straight forward and clear. Section 13(3) sets at the grounds for which a person would be:

“...disqualified from appointment as a Director General or a Deputy Director General...”—such as if they are:

- “(a) ...a member of Parliament, the Tobago House of Assembly or municipal corporation;
- (b) ...an undischarged bankrupt or has compounded with his creditors;
- (c) has been convicted of an indictable offence or any offence involving dishonesty; or
- (d) has been certified by a registered medical practitioner to be mentally ill.”

2.50 p.m.

Based on what has been presented it appears to me that both candidates are eminently qualified for their respective post. So I am happy to support these

nominations and I wish the successful candidates all the best in this new adventure. The country will be relying very heavily on them as trailblazers in this newly minted institution. They will need to display vision and strategy, leadership, innovation and adaptability, team building, financial management, stakeholder engagement—

Mr. Roberts: Impartiality.

Sen. A. Vieira SC: —execution and implementation and impartiality.

Mr. Roberts: Correct, most important.

Sen. A. Vieira SC: I have every confidence that these candidates will live up to their potential and I wish them well, thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Minister of Finance.

The Minister of Finance (Hon. Colm Imbert): Thank you very much.

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: I wish to thank Sen. Vieira for his kind words and endorsement of the two candidates. And I noticed that Sen. Mark struggled to find something bad to say about one of the candidates and therefore, had to dive deep into the swimming pool of absurdity by trying to make an allegation that one of the candidates had some defect that caused persons to go to the Tax Appeal Board. Thankfully that he was unable to do so but let me just read into the record that the Tax Appeal Board Act provides for appeals from assessments to income tax, corporation tax and another taxes and therefore by its very existence the Tax Appeal Board is there to settle complaints, objections to assessments.

And therefore, it is the job of this person currently to assess persons for taxes. And it is natural that not every assessment of taxes would be accepted and

agreed to and therefore the person must go to the Tax Appeal Board. But to try to slander the person by saying or insinuating or attempting to insinuate that some of the assessments made by this particular individual found a way into the Tax Appeal Board is the height of absurdity. It is just sad. So here we have two highly qualified and experienced persons who will provide the support for the Director General. They have long service in the public sector, a lot of training, a lot of exposure, academic qualifications, deep expertise in tax, administration and in the Custom and Excise Division. I think we have done very well to find these two excellent candidates and with those words, I beg to move.

Question put.

Sen. Mark: Division

The Senate divided: Ayes 23 Noes 3

AYES

Browne, Hon. Dr. A.

Armour SC, Hon. R.

Gopee-Scoon, Hon. P.

Sinanan, Hon. R.

Hosein, Hon. K.

West, Hon. A.

Randall, Hon. M.

Bacchus, Hon. H.

Singh, Hon. A.

Ibrahim, Dr. I.

Sagransingh-Sooklal, Hon. R.

Sookhai, R.

Lezama-Lee Singh, Mrs. L.

Hislop, L.

Seales, M.

Richards, Dr. P.

Vieira SC, A.

Teemal, D.

Thompson-Ahye, Mrs. H.

Dillon-Remy, Dr. M.

Hutchinson, Prof. G.

Patasar, Dr. S.

Francis, H.

Ms. S. Maharaj abstained

Mr. President: Hon. Senators, the results of the division is as follows: 23 Senators voted for, three Senators voted against, there was one abstention. [*Desk thumping*]

Question agreed to.

Resolved:

That the Notification of the appointment of Mrs. Helen Thomas-Brown to the office of Deputy Director General–Domestic Tax of the Trinidad and Tobago Revenue Authority be approved.

**DEPUTY DIRECTOR GENERAL
(APPOINTMENT OF MR. RIAD JUMAN)**

Mr. President: Minister of Finance

Hon. Senators: [*Desk thumping*]

Hon. C. Imbert: Thank you very much Mr. President. I beg to move the following Motion standing in my name.

Deputy Director General
 (Appointment of Mr. Riad Juman)
 Hon. C. Imbert

2024.04.16

Whereas section 13(1) of the Trinidad and Tobago Revenue Authority Act, 2021 (Act No. 17 of 2021) provides, inter alia, that the Minister shall, by Notification subject to affirmative resolution of Parliament, appoint the Director General and such number of Deputy Directors General of the Authority as are required;

And whereas the Minister of Finance has, by Notification dated the 15th day of March, 2024, appointed Mr. Riad Juman to the office of Deputy Director General—Customs and Excise of the Trinidad and Tobago Revenue Authority with effect from the date of his assumption of duty in that office;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the appointment of Mr. Riad Juman to the office of Deputy Director General—Customs and Excise of the Trinidad and Tobago Revenue Authority be approved.

Question put.

Sen. Mark: Division. The Senate divided: Ayes 23 Noes 6

AYES

Browne, Hon. Dr. A.

Armour SC, Hon. R.

Gopee-Scoon, Hon. P.

Sinanan, Hon. R.

Hosein, K.

West, Hon. A.

Mitchell, Hon. R.

Bacchus, Hon. H.

Singh, Hon. A

UNREVISED

Deputy Director General
(Appointment of Mr. Riad Juman)

2024.04.16

Ibrahim, Dr. I.
Sagransingh-Sooklal, Hon. R.
Sookhai, R.
Lezama-Lee Singh, Mrs. L.
Hislop, L.
Seales, M
Richards, Dr. P.
Vieira SC, A.
Teemal, D.
Thompson-Ahye, Mrs. H.
Dillon-Remy, Dr. M.
Hutchinson, Prof. G.
Patasar, Dr. S.
Francis, H.

NOES

Mark, W.
John, Ms. J.
Lutchmedial-Ramdial, Mrs. J.
Nakhid, D.
Roberts, A.
Gosine, C.

Ms. S. Maharaj abstained.

Question put.

Mr. President: Hon Sen. The results of the division is as follows: 23 Senators voted for, six Senators voted against, there is one abstention. [*Desk thumping*]

UNREVISED

Question agreed to.

Resolved:

That the Notification of the appointment of Mr. Riad Juman to the office of Deputy Director General—Customs and Excise of the Trinidad and Tobago Revenue Authority be approved.

Mr. President: Hon. Senators, before I call on the Leader of Government Business I seek your indulgence to revert to Item 9. on the Order Paper, Questions on Notice for Oral Answer. Pursuant to Standing Orders 27. (12), please note that by request of the Senators in whose names these questions were filed the questions which remain unanswered at the expiration of question time will be carried over to the Order Paper of the next Sitting of the Senate.

Hon. Senators: [*Desk thumping*]

Mr. President: Leader of Government Business.

3.00 p.m.

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 Monday, April 22, 2024, at 1.30 p.m., which we would deem as Private Members' Day, and I would ask for an indication from the other Bench.

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, the matter on the Motion for adjournment—

Mr. President: No, no, Sen. Mark. What Motion are you doing next Monday, Private Members' Day?

Sen. Mark: No, the Motion continues, it is Sen. Vieira.

Mr. President: Sen. Vieira?

Sen. Mark: His matter is on the—

Mr. President: So you want—okay, you are going to do your matter?

Sen. Mark: No, no.

Sen. Vieira SC: The Commission of Enquiry—[*Inaudible*]

Mr. President: Okay. So we will be doing your matter next—good. Perfect. Right.

Sen. Mark: And I just want to advise my colleague to indicate that once we would have completed the Motion by my hon. colleague, we will then pursue our Motion on the separation of powers which follows. Because I have been advised by my hon. colleague that we are coming back to back, Monday and Tuesday. So once we complete on Monday, we will start the other—the Motion that follows Sen. Vieira's. Okay?

Mr. President: [*Inaudible*]—Motion. Okay. Hon. Senators, before I put the question on the adjournment, leave has been granted for two matters to be raised on the Motion for the adjournment of the Senate. Sen. Mark.

**Repatriation Advisory Committee
(Government's Failure to Adequately Resource)**

Sen. Wade Mark: Yes. Thank you, thank you, thank you, Mr. President. I rise to address a matter dealing with the issue of the failure of the Government to adequately resource the Repatriation Advisory Committee to carry out its work with respect to repatriating Trinidad and Tobago nationals currently stranded in the Middle East and, of course, Syria is the country.

Now, Mr. President, you would recall that it was the hon. Kamla Persad-Bissessar last year who said that a UNC Government will do everything in its power to have our children, 56 of them or thereabout, and some 30-something women and 14 adults, mainly boys, who have been trapped in a certain part of

Syria controlled by rebels for the last few years. And as soon as that statement was made, the Prime Minister hastily responded—that was in January of 2023—by saying that he—that is the hon. Prime Minister—will be appointing a three-man committee headed Nizam Mohammed, former Speaker, to take this matter on board and to address, as quickly as possible, this issue of the repatriation of close to 100 citizens/nationals of Trinidad and Tobago back to Trinidad and Tobago. Well, Mr. President, the committee was appointed. It was appointed in March of 2023. One year and one month later, no action. This is NATO, “No Action, Talk Only”, Mr. President.

I heard Mr. Nizam Mohammed on a 95.5 interview and he was livid and he was criticizing the fact that since this committee was appointed, absolutely no resources were given to this committee, and he was frustrated. Next thing I saw he was appointed to the Advisory Committee on Constitutional Reform. I do not know if that was to keep him quiet.

Hon. Senators: [*Laughter*]

Sen. W. Mark: But the reality is that, Mr. President, that the Government has done nothing, one year and one month later, to rescue, or to even get the team of three to visit the autonomous region of Syria to even report back to Trinidad and Tobago what are the conditions of these children, over 50 of them.

Sen. Nakhid: Dire.

Sen. W. Mark: What are the conditions of the women in the camp?

Sen. Nakhid: Dire.

Sen. W. Mark: What are the conditions of the adults, mainly boys, between 14 and 16 of them? Nothing. This is a Government, Mr. President, that only reacts for the moment by setting up a committee to give the impression that something is

being done, and nothing is being done. And there are Muslims on the Government Bench, what are they doing? What are they doing? One year and one month later, the Government has done nothing. The committee is frustrated. My understanding is that the committee is locked in reports—locked up in producing reports. Report, report, report but no action. So the reason why I am raising this today, Mr. President, is to awaken the Government and the Minister of Foreign and CARICOM Affairs who, like Rip Van Winkle, seems to be in deep slumber. I want to awaken the Minister to do something about that. Report to the Parliament, report to the people.

I read in the papers where the Minister is quoted as saying—and this is a newspaper, Thursday, April 11, and the Minister is reported to have said that, you know, this matter requires time. In an immediate response—and I quote—to the Opposition Leader, who recently called for the return of these nationals, the Foreign and CARICOM Affairs Minister, the hon. Amery Browne, said work continues to repatriate nationals in Syria:

“...but it is not a matter that can be treated with overnight, as there is a national security element to consider.”

But, Mr. President we all know that. We know that there is a national security to be considered but that has been there for the last how many years. What consideration is being taken?

So the Government has to tell Trinidad and Tobago whether they have abandoned our children in Syria. Tell the country that they are not going to back them because they believe if they bring them back, they will contaminate the society.

Hon. Senator: Wow.

Sen. W. Mark: Tell the country that, so we will know that the Government is just mamaguying Trinidad and Tobago by setting up a three-man committee. The Government must tell the country the truth. There is no—does the Government intend, Mr. President, to take action to repatriate our citizens and have them reintegrated, with all the security concerns, into our society?

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

Sen. W. Mark: So “dais all we asking”. Give us a status report. Let us know, let the Muslims in Trinidad and Tobago—the Muslims in Trinidad and Tobago who are calling for the repatriation of their colleagues and friends, whoever—when I say friends, I am talking about the children here because the children are my friends too. I love children and I am saying the children that are there must be brought back. Of course, I am not saying do it willy-nilly, Mr. President. You have to take security consideration into being or into account, no problem, but do something. Tell us what you are doing.

So the reason why I have brought this matter is to get the Government to tell Trinidad and Tobago, the Muslim community and the world what is the position with the repatriation of these 100 nationals that are stranded in Syria. That is all. We want a status report and when are they going to come back home. Are they going to come back home on Emancipation Day, on August 1st? I am just asking. When are they coming back? “Dais all we asking”.

So, Mr. President, thank you for giving me this opportunity on behalf of the UNC, that will bring back—I want to close by telling you if the Government fails to bring back our children that are stranded, our women who are stranded, our adults who are stranded in Syria, a United National Congress Government will bring back our children, our women and our adults back into Trinidad and Tobago.

Thank you, Mr. President.

Mr. President: Minister of National Security.

Hon. Senators: [*Desk thumping*]

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Mr. President. Just in passing, I want the hon. Senator to understand that it is a misnomer to say Emancipation Day. It is African Emancipation Day, if he missed it.

Hon. Senators: [*Desk thumping*]

Hon. F. Hinds: The Member in passing as well, he mentioned that the Opposition Leader stated that she would bring the children home. The Opposition Leader is, in my humble view, very populace, will say and do anything if it appears as though it would bring a vote or two. That is the Member who said—the Member for Siparia, he just raised her—that is the one who said, “Knock it and clip it and cock it.” It appears as though “Zambo” took her advice.

Hon. Senators: “Ohhh”. [*Laughter*]

Hon. F. Hinds: But, Mr. President, the Government of the Republic of Trinidad and Tobago remains committed to ensuring the return of our nationals from conflict zones. We have often made this policy very clear. Some countries, like the UK, have denied returning fighters the opportunity to return to their country. They have not entertained them. A country like Germany for an example, when they return, they are prosecuted, they are charged and jailed. The children are sent to rehabilitation centres. In the case of Canada, they are sent to rehabilitation centres on return, and to stay there until the Government is satisfied that they can do otherwise. And in the US, it is case, it is trial, it is prison, and the children are put in state care and foster care arrangements. We said we will bring our nationals

home. There are many countries, as I have just explained, that did not do that.

In furtherance of that, we have engaged our international partners because this has international implications. And in this regard, we received reports, we are in contact with those who we have to be in contact with, as we have begun the process for their repatriation to Trinidad and Tobago. We have mandated the Attorney General—I heard the Member say we have done nothing. We have mandated the Attorney General on the advice of our international partners—in collaboration with our international partners, we have designed legislation called the returnees Bill, which is an advanced state of pregnancy, if I may say so, in order to manage the safe return of these nationals in accordance with best international practice.

We have established a three-man Repatriation Advisory Committee to lend support to the Government's efforts in this regard. We have employed two persons as support staff to the repatriation committee, provided office space where we had to and the facilities that they need to carry out this work. We have done that. We have identified a property for the administration and management of the returnees because some assessment must be done. The Member spoke for 10 minutes and hardly mentioned the business of the protection of the citizens and the safety of the people of Trinidad and Tobago, a high priority for us as well.

And the tremendous work and the acquisition of training and learning for the lead agency, Task Force Nightingale, which was started in 2018 certainly continues, Mr. President.

3.15 p.m.

It should be noted that this is a matter of high sensitivity, emotive and complex, involving external parties, as I said. Moreover, repatriation must be

organized in a way that balances the needs of those returning with those of the national community with national security considerations, all aiming at the best interest of the people of Trinidad and Tobago. That must be the goal, bar the hype, bar the froth, bar the emotional explosions.

We have a duty to ensure that they are safely returned, and that the country is safe in so doing. These people, some of them are severely radicalized, including some of the children. We have participated in court proceedings, and we have had assessments about the affairs, we know this requires close management and that is what we are doing. Recall, it was in March 2023 that the Government lead by the hon. Prime Minister, who took the decision, the bold decision, to repatriate those citizens from Syria and Iraq. Sometime later, this three-man team was appointed, and they are mandated to work closely through the state agency tasked with the responsibility for planning and facilitating the organized return of these nationals. We see this process as requiring a state-to-state approach which is how we are dealing with it, and therefore the work of the state on this matter is being coordinated, as I alluded to a while ago, through Task Force Nightingale, which is an interministerial committee, that was established to advise on and develop a legislative and policy framework to facilitate and execute the organized repatriation of this group of persons. And to complement these efforts, the three-man committee was put in place, it brings the families' perspectives to the matter, the individuals' perspective to the matter, and the communities from which they come, very important. And that is why we have put it in place.

In recognition of this, and in an effort to optimize the collaborative efforts between Task Force Nightingale and the three-man team, I would have instructed that the necessary office accommodation and support be provided, and that is

indeed the case. There is one little missing link which is now being sorted out. It is to, of course, make some kind of stipend available to them, because they have reported to me that there are some minor expenses in the course of their work, and we consider it just, and right and fair in order to do that, so, we are now in collaboration with the Ministry of Finance in order to establish that.

So, Mr. President, notwithstanding the froth, the noise, the frowning, and the usual gymnastics from Sen. Wade Mark, the Government's policy on this matter, again, is very patent, very clear, and we are approaching it in the manner that a responsible government, leading a responsible country. Not being populist as he recommends, as they offer to this country, but taking the national interest well into account, and acting in the way a sober and sensible government must, we are proceeding apace. I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Maharaj.

Hon. Senators: [*Desk thumping*]

**117th Salaries Review Commission Report
(Government's Need to Address)**

Sen. Sunity Maharaj: Thank you very much, Mr. President. My Motion focuses on the need for the Government to address the recommended salary increases for several of this country's uppermost public officials as contained in the 117th Salaries Review Commissions Report. The operative word here is address, because I am aware that the Minister of Finance on March 6th had reported to the Parliament, having reviewed the reports to this, the 117th report, he informed the country via the Parliament that having reviewed it, it was found to have quite a number of serious and inexplicable anomalies, going so far as to describe some of it as irrational. He also outlined the objections that had been forwarded to the

Government by the Judiciary, which I should briefly mention, because they are quite in line with what I am going to talk about.

- The methodology that was opaque,
- ““Replete with internal inconsistencies,
- Devoid of justifications for...Higher Judiciary and other...offices,
- Premised and flawed, misleading and, in some cases plainly wrong assumptions,
- Formulated based on the application of irrelevant, unreliable... unexplained considerations, and
- The product of a fundamentally flawed process that fails to adhere to basic principles of natural justice.””

Having said that, I have to say, having read the 113th report, it contained the job evaluation exercise, details of that, and the compensation plan, I will have to agree with a lot of the Minister’s comments about that report and the Judiciary’s. Where we part company is in the Minister’s response, which I think falls short of what addressing those deficiencies require. On March 6th, the Minister said having picked up those anomalies and those problems, the report is being sent back to the Salaries Review Committee for review, revisiting it, and generally addressing the deficiencies and sending it back to the Cabinet by the President. And I am assuming that if it finds the Cabinet’s favour, they would proceed to support it, and if not, he has said that—let me just get it right—if the SRC’s revised recommendations are still found to contain serious anomalies then:

“...the Cabinet will make appropriate and reasonable adjustments to the recommendations in this 117th report.”

Based on my review of this, a consideration of the source of the problems

that have lead the SRC in the direction of all of these anomalies, I fear that the Government trying to do what is the SRC did and failed to accomplished might fall into the same trap. Because what we have here is a constitutional conundrum, and it is time I think to fix that problem of the Salaries Review Commission as an advisory body where the authority is in the hands of the Cabinet. The large number of individuals, of categories, and of public officials, some of whom are technocrats and professionals, trained for careers, lumped with the Judiciary, lumped with Parliament—elected officials and selected officials in the Parliament—is the source of the problem. There are no parallels for some of these positions in the private sector as the SRC attempted to do. In fact, I think the Minister was quite—his criticism of the foreign consultant was quite stinging, and I think warranted. He says:

“It appears that the foreign consultants employed by the SRC were not au courant with the full range of the duties, responsibilities, challenges, decision-making and impact in Trinidad and Tobago of several persons under the purview of the SRC. In some cases there was insufficient consultation with stakeholders.”

And I question the SRC’s decision to hire a firm, notably one of the most high-profile and best, it comes highly recommended. The question is, did that firm ever have to deal with the compensation for parliamentarians? Because it is very much a corporate sector, it deals with big companies as so on. And how do you match these, how do you align the work of elected officials—those of us who come to serve the public, we come to serve the public, with somebody whose career and training over years equips them for certain positions?

And so, the opportunity is here for us to address the inherent contradictions

of the SRC, not by pushing the SRC to come up with something that seems, on the face of it, acceptable to maybe the public or the Government, but something that addresses the inherent contradiction. In 2009, following what they called the MP's expensive scandal in the UK, they took some very dramatic action with the establishment of something called the Independent Parliamentarians Standards Authority, where they hived off, where the parliamentarians—an external body to the Parliament. But that was under the authority—a Speaker's committee that was in statute, but focused on compensation for people in the legislature.

And I wonder if this is not the moment for us to think—not necessarily to do what the British did, but to try to address an inherently anomalous situation. One of the principles of compensation for the Prime Minister, the President, the Opposition leader, and everyone here, ought to be, that you should never be in a position where you are determining your own pay. Because it creates situations depending on the political environment, you may deserve it but not get it because it is politically sensitive, or you may not deserve it and get it. And therefore, you need an arm's length, you need something outside of yourself. We are in an election season, the Cabinet will have to be very brave, I think, to even—maybe they say 4 per cent or some kind of crazy thing like that because the politics, and you want to take that—

Mr. President: Senator you have two more minutes.

Sen. S. Maharaj:—out of, you want to take that out of the process.

So, what I am asking here is for a considered response, and to address this 117th salary report, to address it from a more considered perspective. It is a case of apples and oranges for us to align the Speaker with a Permanent Secretary, or, you know, things like that. It does not stand to reason. The time has come for us to

address the SRC otherwise we will be will butting heads, creating animosity in the country, riling up the public at a time when they are under pressure. We do not need that, that is unnecessary. And the source of the problem are not the people, the source of the problem is a constitutional mechanism that is not working for us.

Thank you.

Mr. President: [*Desk thumping*]

Mr. President: Minister of Finance.

Hon. Members: [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you very much, Mr. President. For those who may be a little confused, the matter brought to my attention is as follows:

The need for Government to address the recommended salary increases for several of this country's uppermost public officials contained in the 117th Salaries Review Commission report.

Nowhere in this Motion is any request to look at the SRC itself, the Constitution or any other such matters. So, it is very difficult having looked at the words in this Motion to respond to what Sen. Maharaj is saying. And I will respond to the Motion first. It was addressed and on the 6th of March in the other place, I made it very clear that we found many of the recommendations of the Salaries Review Commission to be irrational I need to reiterate to all who are listening that the 117th Salaries Review Commission report is a job evaluation exercise. And that is amisconception perpetuated in the media and other places that this was a general increase, a general review, it was not. This was an exercise that has been in progress for 14 years, for 14 years from 2010 to 2014 or from 2009 to 2013. However you count it, it is 14 years.

3.30 p.m.

The Salaries Review Commission has been unable to evaluate what we do in this place and what is done in the other place; has been unable to evaluate the duties, responsibilities, difficulties, stress, whatever it is that elected and appointed parliamentarians have to deal with; has been unable for 14 years to determine what is adequate compensation for parliamentarians, whether in this place or the other place. I want to make that crystal clear.

It was a job evaluation exercise and there is a lot of misinformation outside there, with respect to the increases. It is as if there were some sort of collective bargaining and persons who are under the purview of the SRC were awarded a general increase, based on considerations of things like inflation, and so on, it was not. It has taken far too long and it is disgraceful, that after 14 years, you end up in a situation where you have a serious Arm of the State, the Judiciary, finding themselves having to write letters to point out that the recommendations of the Salaries Review Commission, with respect to them, were irrational. And we have addressed it. If we gone through it. We have need established, as far as we are concerned, the Government, that the salary increases were irrational in many cases.

We are currently preparing documentation to send to the SRC. Just let me correct something, constitutionally it is the Cabinet that decides whether it will accept the Salaries Review Commission report as is, reject it as is, or make modifications. This is not the first time. It happened under the former UNC Administration where that Salaries Review Commission had the audacity to try and reduce the transport privileges and transport facilities given to Members of Parliament; tried to reduce it. And that is the first time I see the Parliament come

together as one and say that that was property because it had already been granted and to attempt to take it away was a breach of the Constitution, deprivation of property. So that we have addressed it.

I consider it disgraceful that this thing took 14 years. I also consider it disgraceful that the consultants, whoever they were, because they never talked to me—so I do not know who “dey talk” to—did not take the time to have proper interaction with Members of Parliament, either in this place, or on the other side, and so on. I do not know anything about it and what disturbs me the most is, in the 32 years that I have been in this place, I have been selected by my political party to meet with the Salaries Review Commission and to join with other persons.

I remember again in the 2010 to 2015 period, UNC was in power and I was selected to represent the PNM, the Opposition, as it were. Dr. Moonilal was selected to represent the Government and Mr. Hamel-Smith, who was then the President of the Senate, was selected to represent Independent Senators and Senators generally, and we went before the Salaries Review Commission at that time and that Commission looked at the three of us. We were in a rare display of unity, Government, Opposition, Independent, and tell us we are going to cut "allyuh privileges.

So, I am just saying we have addressed this. This report, as far as we are concerned, was ridiculous. We are sending it back to them. I have made statements on it. We are addressing it.

With respect to the Commission itself, it is a creature of the Constitution and we do not have the parliamentary majority. It is an academic proposal to say that we should change the Constitution to change the way in which the salaries of

officeholders are. That is never going to happen. There would never be agreement between Government and Opposition, with respect to amending the Constitution to put the salaries, our salaries, into the hands of somebody else. That is not going to happen. So we have an SRC. We have to live with it and we deal with it constitutionally, which is the Government, the Executive of the day, decides whether it will accept or reject or amend the SRC report and that is exactly what we are going to do. Thank you.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 3.35 p.m.