

SENATE

Tuesday, April 30, 2024

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

ANSWERS TO QUESTIONS

Mr. President: Leader of Government Business.

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Mr. President, there are three questions for oral response on today's Order Paper: Questions No. 99, No. 100 and No. 101. The Government is in a position to respond to 100 per cent of the questions on the Order Paper.

ORAL ANSWERS TO QUESTIONS**East Port of Spain****(Increased Police Presence)**

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

Given the March 2024 murders of five (5) individuals at Harpe Place in East Port of Spain, can the Minister indicate whether there will be an increased police presence in East Port of Spain as a deterrent to reprisal shootings?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you very much, Mr. President. According to information received from the Commissioner of Police, the Trinidad and Tobago Police Service is fully cognizant of the murder of the five individuals alluded to in the question which took place recently at Harpe Place in east Port of Spain. As such, focused efforts have been made to bolster the capacity of the TTPS to treat

with this very unfortunate and pressing concern.

These efforts include but are not limited to round the clock static patrols, foot and mobile. These are being carried out by the TTPS, particularly the Port of Spain Division, the Inter-Agency Task Force and the Port of Spain Divisional Task Force in the Harpe Place area and environs. These patrols are also performed on 24-hour basis by station personnel in collaboration with the Guard and Emergency Branch, Port of Spain Division Gang Intelligence Unit and the Port of Spain Division Community Policing Unit.

Additionally, the Port of Spain Gang Intelligence Unit and the Port of Spain Task Force are conducting on-going intelligence-led exercises targeting gangs and priority offenders within the Port of Spain Division. They are also engaged in joint station patrols which are actively underway ensuring continuous coordination and effective communication, all of which are monitored by senior officers at the operations unit.

The Besson Street Station along with the Besson Street Central Criminal Investigation Department and the Belmont Police Station, along with the Belmont Police CID also assist in these patrols in east Port of Spain. Layer upon layer of different units patrolling and keeping the area under manners, under watch. More joint patrols and army patrols are being implemented in collaboration with the CID as well and special teams were formed comprising intelligence and operational units of the TTPS to dealing with these.

Mr. President, before I conclude, simply to say I have the opportunity to see some of these operations. I function in the area as MP and as citizen and I have access to other information and I am quite tempted to say that I

am satisfied. But you know in this business of dealing with crime, it flares up anytime anywhere coming from the evil nature of the human being wherever he is.

But notwithstanding, the Senior Superintendent in charge of Port of Spain Division and of course under the direction of the senior officers are conducting what I consider to be quite satisfactory operations in that area and the wider environs, and I am looking forward to this kind of activity bearing continuing fruit to the relief of the citizens of Trinidad and Tobago, particularly those in that division in east Port of Spain. I thank you.

Mr. President: Sen. Mark.

Sen. Mark: Yeah, I am going on to the next question, Sir. Question No. 100 to the Minister of National Security.

Strategic Services Agency

(Terminations Anticipated)

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

Given the March 2024 termination of nine (9) employees of the Strategic Services Agency (SSA) who were allegedly linked to serious criminal conduct, can the Minister state whether any other terminations are anticipated at the organisation?

The Minister of National Security (Hon. Fitzgerald Hinds): Thank you again, Mr. President. The matters raised by the Senator in this question are if it escaped him, very serious matters of national security. The Prime Minister as head of the Government and more specifically head of the National Security Council has spoken publicly to these issues. As to the suggestion in respect of any link to criminal conduct, this is quite premature. It would therefore be inappropriate for me to comment any further on these

matters particularly at this stage. I repeat. The Senator's assumption is wholly premature.

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, having regard to the seriousness of developments that have taken place at this premier spy agency, can the Minister indicate—spying agency, can the Minister indicate to this honourable Senate whether there is any intention on the part of the administration to weed out undesirables that may still exist within the bowels of this particular state agency that is supposed to be providing this country with top of the line surveillance and intelligence?

Mr. President: Minister of National Security.

Hon. F. Hinds: May I with your leave, Mr. President, adopt the formula from my ministerial colleague who visited this place yesterday and suggest to the Senator that I am prepared to speak very slowly such that he may understand. These are matters of national security. They have been spoken to thus far publicly by the hon. Prime Minister as head of the National Security Council and it is quite premature to come to any conclusions while the matters are being reviewed as indeed they are. I thank you, Mr. President.

Mr. President: Sen. Mark.

Sen. Mark: I will go on, Mr. President. Question No. 101 to the Minister of Health.

Unregistered, Unqualified Dentists

(Dental Association's Claims)

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

Can the Minister confirm whether there is any validity to the President of the Dental Association's claim that hundreds of unregistered dentists, including migrants, are operating without qualifications and are offering cheap dental services to the detriment of public health and safety?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. President, and good afternoon to one and all. According to the Dental Profession Act, Chap. 29:54, the regulation of the practice of dentists and/or the question of unregistered persons holding themselves out as dentists falls under the jurisdiction of the Dental Board of Trinidad and Tobago. As of April 17, 2024, the Ministry of Health received no complaints regarding unregistered persons holding themselves out as dentists. Thank you, Sir.

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, can I ask the hon. Minister having regard to the publicity that this particular matter has received, as Minister of Health, can I ask through the President, whether as Minister of Health you have taken any interest in seeking an audience with the appropriate board or authority with responsibility for the Dental Association to determine the veracity or authenticity of these reports that have been publicly made in Trinidad and Tobago?

Mr. President: Minister of Health.

Hon. T. Deyalsingh: Thank you very much. The Ministry of Health and the Dental Board meet and talk very regularly on all matters referring to the profession. The same publicity is also available to the Dental Board who has a primary function of investigating these complaints and these claims.

We have no investigative authority. If we receive complaints, we will certainly do our part and pass it over to the appropriate authority to act under sections 30 to 36 of the Dental Profession Act.

Mr. President: Sen. Vieira.

Sen. Vieira SC: Minister, under the Dental Profession Act, is it possible to prosecute quacks or unregistered dentists in the criminal court as a summary offence?

Mr. President: Minister.

Hon. T. Deyalsingh: I would prefer if the Dental Council who has—and you very well know because you are the attorney for the Dental Council. So you know that. That the Ministry has no role to prosecute, it is up to the Dental Council whom you advise, to do this. Thank you very much.

Mr. President: Sen. Mark.

Sen. Mark: Mr. President, can I ask through you to the hon. Minister, the public is exposed and in those circumstances I am asking the Minister, what is the role of the Minister of Health in protecting the public as it relates to quacks posing as dentists and members of the public are accessing these persons to conduct, you know, works on their mouths. So I am just trying to find out who is protecting the interest of the public in this matter.

Hon. T. Deyalsingh: So the Ministry of Health, if we have claims that can be verified, we are very interested to pass over these verifiable claims to the appropriate persons who can act under the Act which is the Dental Council. So I suggest if anyone has claims, we are very interested but we need information that we can pass on to the appropriate authority.

Mr. President: Sen. Vieira.

Sen. Vieira SC: Hon. Minister, is it not the problem that in order to

prosecute unregistered dentists or quacks under the Dental Profession Act, the consent of the Director of Public Prosecutions is necessary but that has proven to be a stumbling block for the Dental Council to proceed?

Mr. President: So Sen. Vieira, that is a little bit outside of what the original question purported.

Sen. Vieira SC: Yes.

Mr. President: You have another question?

Sen. Vieira SC: Is the Minister aware that that is a problem?

Hon. T. Deyalsingh: I think as legal counsel to the Dental Council, you should raise that with the Council that you advise so that they can deal with the Director of Public Prosecutions. We have no locus standi when it comes to prosecuting and you know that, hon. Senator. Thank you very much, Mr. President.

ICC Men's T20 Cricket World Cup 2024 Bill, 2024

Order for second reading read.

The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC): Thank you, Mr. President. I beg to move:

That a Bill to make provision for the efficient and effective staging of the ICC Men's T20 Cricket World Cup 2024 and for related purposes be now read a second time.

Mr. President, permit me, first of all, to offer something in the nature of an apology by way of explanation to honourable Senators and yourself for the regrettably short notice in bringing this omnibus piece of legislation to this Chamber. Senators will note that the T20 World Cricket Cup event is being hosted in the United States of America and in six CARICOM countries, namely Antigua and Barbuda, Barbados, Guyana, St Lucia, St.

Vincent and the Grenadines and in the Republic of Trinidad and Tobago. We have been coordinating around the clock to meet certain deadlines agreed upon by the CARICOM host countries and the ICC in order to successfully manage what is undoubtedly an event of great magnitude and international viewership.

1.45 p.m.

Additionally, we have been working closely with our coordinating CARICOM host countries to harmonize primary and subsidiary legislation for this T20 World Cup event. The coordination event efforts have included national interministerial meetings; regional meetings of attorneys general and Ministers of legal affairs; CARICOM meetings of national security and law enforcement; meetings of chiefs of immigration from the six CARICOM host countries on matters of immigration, boarder control and management, and on the drafting of this harmonized piece of legislation to facilitate the hosting of this event.

Those coordination efforts, Mr. President, have included many long days and nights by key local, regional and international officials who have been trying to meet the short deadlines. I go on record to thank them for their sterling efforts.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Armour SC: I wish to highlight, Mr. President, the fact that all six CARICOM host countries are attempting to pass their sunset omnibus legislation around the same time to ensure the legislative harmony that we are striving for. I can report that like us, Barbados's omnibus legislation is recently in its Parliament, and St. Lucia, Antigua and Guyana's

legislation is also soon to be introduced. I therefore urge for the love of cricket, lovely cricket, on both sides, that we give this Bill the easy passage that it deserves.

Mr. President, if I could spend a little time on the history and policy behind the Bill that is now before this august Chamber. By Cabinet Minute of the 16th of June, 2023, the Cabinet agreed to approve the submission of a bid for the hosting of ICC Men's T20 World Cup Cricket 2024, in Trinidad and Tobago, over the period June 01 to June 30, 2024. Following the submission of the bid on June 16, 2023, Cricket West Indies, CWI, and the International Cricket Council, ICC, accepted the bid submission, and identified Trinidad and Tobago as a host country for the tournament, awarding four stage matches and one semi-final match. The agreement for the hosting of the Men's T20 Cricket World Cup 2024, that is to say the host agreement, was executed on the 19th of September, 2023. That host agreement contains the terms and conditions for this very historic event.

Mr. President, and hon. Senators, I ask everyone to note that the First Special Meeting of the Council for National Security and Law Enforcement (CONSLE) and Attorneys General of the Men's T20 World Cup 2024 Host Countries was held in Trinidad and Tobago on March 08 and 09, 2024. CARICOM Caribbean host countries recommended that this meeting, among other things, that the Attorneys General of the host countries complete drafts of the necessary pieces of legislation. I particularly wish to thank all the Attorneys General of the five other host countries for their hard work, and at the risk of seeming to be invidious, I particularly wish to thank Attorney General, Dale Marshall SC of Barbados, for his very hard work.

Mr. President, in acknowledging that the Cricket World Cup 2024, was less than three months away, the First Special Meeting agreed that the host countries can utilize legislation used during the previous Cricket World Cup 2007 as useful precedence to be enacted for CWC 2024. Senators will nevertheless observe that the 2024 Bill before this august Chamber, while similar to its 2007 precursor Act, has been interrogated to ensure that all persons, sponsors and spectators alike are treated fairly. This sunset piece of legislation, Mr. President, like its predecessor, must be enacted to give the Governments obligation for CWC 2024, T20 World Cup, and will automatically expire if passed on the 30th of June, 2024, after all obligations are fulfilled.

Mr. President, it is unprecedented, it is anticipated that this event will be viewed by approximately two billion persons virtually. We also anticipate thousands of spectators to our shores to be physically present to view the matches scheduled to be played here in Trinidad and Tobago, and in other host CARICOM countries. In anticipation of the influx of persons to our shores and for ease of travel during the specified period, the hon. Minister of National Security has already signed sunset Immigration Regulations that will expire after the T20 World Cup event. Senators are asked to note that the Immigration (ICC Men's T20 Cricket World Cup 2024) (Mutual Recognition of Visas) Regulations, 2024, were published as Legal Notice No. 69 of 2024, and laid in the Senate on the 23rd of April, 2024, and in the other place on Friday, 26 April, 2024. These regulations are subject to negative resolution of Parliament.

Those regulations, Mr. President, deal with the mutual recognition of

visas by CARICOM host countries during the period May 15 to July 15, 2024. Senators are asked to note that notwithstanding the mutual recognition of visas, Trinidad and Tobago will retain its sovereign right to refuse entry to persons seeking to enter Trinidad and Tobago if the admission of those persons would be contrary to the Immigration Act, Chap. 18:01, or the Immigration Regulations.

Mr. President, I am happy to announce and to remind that the group stage matches are to be held from June 12, 2024 to June 17, 2024, at the Brian Lara Cricket Academy. The semi-final match will be held on June 26, 2024, at the Brian Lara Cricket Academy. Warm-up matches will be held at the Queen's Park Oval, while the practice sessions will be held at Queen's Park Oval, Sir Frank Worrell Memorial Ground of the UWI, and the Diego Martin Sporting Complex. Mr. President, without fear of contradiction, I am able to say that this is the largest sporting event hosted in the region since 2007.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Armour SC: It is intended to achieve the following objectives:

- High quality event management;
- Infrastructure improvement;
- Widespread economic opportunity to facilitate a widespread equitable and fair participation in the economic opportunities of the event;
- A unique Caribbean promotion to promote a unified Caribbean as a premier destination for all the world's nationalities, with

ease of movement through the islands;

- Regional integration;
- Enhancing the international popularity of cricket played right here in the Caribbean; and
- The Caribbean being promoted as a premier tourist designation.

This event, Mr. President, will serve to establish our country and the Caribbean region as a sport tourism destination to advance the process of regional integration, and to enhance the profit and profitability of cricket in the West Indies and throughout the world.

I will spend just a little time to acknowledge the very invaluable work that has taken place and continues to take place of the Local Organising Committee, which has been established to execute the obligations assigned to us under the agreement for the hosting of CWC 2024. The Local Organising Committee is responsible for:

- Providing advice and support to CWI in implementing the event plan;
- Assisting with execution of government guarantees;
- Procuring the necessary personnel and expertise required for formulating and implementing the tournament plans; and
- Liaising with government agencies and other relevant authorities to implement plans and assist with marketing, and promotion of the tournament and tournament activities.

The LOC has been working hand in hand with senior persons within government who are responsible for the following areas to ensure that CWC 2024 is well planned and well organized:

- Health and safety;
- Disaster management;
- Emergency services;
- Customs and immigration;
- Transport;
- Police and security forces;
- Communications;
- Telecommunications, satellite, et cetera;
- Sport utilities intelligence.

I take the opportunity, Mr. President, to commend the Chair of the LOC, Mr. Douglas Camacho, for doing an excellent job today.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Armour SC: And I wish to congratulate the LOC for the efficient manner in which they have been running and satisfying their commitments under the hosting agreement.

Mr. President, one of Trinidad and Tobago's deliverables under the hosting agreement is ensuring that all stadia identified for CWC 2024 are of the highest standard, commensurate with similar international world-class sporting events, and all aspects are of a world-class nature. We are to ensure the sufficient areas are kept available at each stadium, which are dedicated exclusively to cricket activities, including practice, training and warm-up. The Government has identified four world-class facilities in our twin-island Republic for the hosting of the matches, practice sessions and warm-up sessions, and these are, as I have already mentioned, the Brian Lara Cricket Academy, the Queen's Park Oval, the Sir Frank Worrell Memorial Ground

and the Diego Martin Sporting Complex.

There are other deliverables, Mr. President, such as the match day operations, and hence the need for this omnibus sunset legislation to create the enabling environment to achieve this goal.

Another deliverable is proximity to medical facilities. The four venues chosen for the matches and practice sessions are all within close proximity to public and private hospitals.

Another deliverable is safety and security. The Local Organising Committee shall be responsible for match security and the formulation of an appropriate security plan. That committee is working hand in hand with our colleagues at the Ministry of National Security to ensure that there is appropriate security in place.

Disaster management is another deliverable. The Government retains responsibility for disaster management, even within the CWC 2024 venues. The LOC has been working closely with our colleagues at the Office of Disaster Preparedness Management, through the Ministry of National Security, to prepare all appropriate disaster preparedness plans.

These deliverables, Mr. President, include accreditation, transportation, communication, accommodation, and Trinidad and Tobago's responsibility with respect to accommodation for 7,200 rooms for teams, officials and media.

The hosting agreement has also addressed immigration. It covers customs clearance, the ICC sponsors' contractual obligations, marketing support, climate and environment, and ambush marketing, on which I will say a little more further. The latter, ambush marketing, is a concept that can

be defined as an attempt by a company to claim or infer association with an event of which it is not an official sponsor. Ambush marketing is warranted its own discreet provision in the Bill before this august House. Mr. President, the sunset piece of the legislation gives us the ability to deliver on all of our deliverables to which we have committed ourselves, and hence the need for this legislation.

Allow me therefore, Mr. President, to go into the Bill in some detail. The Bill is divided into six parts. The first part deals with preliminary matters, while the second part of the Bill deals with “CWC 2024 Special Arrangements”.

“Clause 3...”—provides—“...for the declaration of any area within the control of the...Committee or...(‘CWI’) as a CWC 2024 venue and the declaration of a period as a match period. This is to be done by public notice published in the Gazette and in at least one daily newspaper.

Clause 4...”—provides—“...for CWI to have control of CWC 2024 stadia during a match period subject to the rights of any...”—governmental or municipal—“...authority responsible for public health, disaster management or national security.”

Clause 5 empowers the Commissioner of Police to exercise her rights and control over traffic arrangements within any match venue and during any match period. This reflects the Commissioner of Police’s general powers to effect road closures on a temporary basis, as well as create traffic regulations and orders governing vehicular flow and parking arrangements, such as is done around Carnival time.

2.00 p.m.

Clause 6 of the Bill makes provision for the sale and distribution of tickets for CWC 2024 by persons solely authorized by CWI. Persons who seek to engage in illegal transactions or otherwise purport to sell tickets to CWC 2024 without due and proper authorization shall be subject to penalties contained in the Bill. These persons are otherwise known as scalpers. There is a need to control scalpers, which is accounted for under the Bill.

Clause 7 is to be read in conjunction with the First Schedule, which lists the six host countries and seeks to give effect to the mutual recognition of visas issued by countries, which have agreed to facilitate travel to the CARICOM host countries for CWC 2024. The effect of that visa, of mutual recognition of visas, will be that on entry into one of the six host countries the visitor who arrives and is given clearance by immigration at the first point of entry can then, under the harmonized arrangements that are being put in place by the regulations and the legislation, that person then has the facility to move within the six CARICOM host countries subject, of course, to discretionary control by immigration officials. Mutual recognition of visas will have effect during the period 15th of May 2024 to 15th July, 2024.

Clause 8 provides that the Minister with responsibility for immigration shall provide with efficiency and within seven days of being requested work permits and approvals and documentation required for same, and those shall remain valid and effective until the conclusion of CWC 2024. Clause 9 seeks to give effect to the obligation of host countries regarding the waiver of import and export duties. Clause 10 provides for the exemption of taxes and duties on CWC 2024 tickets.

Mr. President, Part III of the Bill regulates CWC 2024 match venues. Clause 11, for instance, prohibits the unauthorized entry into and exit from stadia. A person must be a permitted entrant within the meaning of the Bill to enter and may only leave through an official exit unless otherwise permitted. Clause 12 prohibits entry onto the plane field and such other eras within stadia, as may be indicated. Contravention of this provision constitutes an offence and the offender may also be ordered to leave or may be removed.

Clause 13 provides for the designation of any area within a CWC 2024 venue for the duration of a match period as a reserved area or any seat within a CWC 24 venue as a reserve seat. A person who is not the holder of a CWC 2024 ticket authorizing him to be in a reserved area, or occupy a reserved seat shall not do so unless authorized by CWI. Contravention of this provision constitutes an offence and the offender may also be ordered to leave or may be removed from the venue or only from the particular area to which the contravention relates.

Clause 15 seeks to suspend the privileges of members of the stadium with the consent of the owners of the stadium during a match period. We were at particular pains to ensure at the drafting stage and the Legislative Review Committee stage, that the consent of the owners of the stadium would have to be obtained if members of a particular venue are going to have their membership rights suspended. And we are happy to say that we have so far secured the consent of all of the owners and managers of those various stadia. Clause 15 prohibits certain specified conduct of persons within any CWC 2024 venue.

Clause 16 provides for the prohibition or restriction of certain items as specified in the Second Schedule. And that Second Schedule sets out in some detail, Mr. President, the prohibited items in Parts I and II, thereof. Those would include dangerous objects, weapons and any article capable of being used as a weapon. Clause 17 provides for the surrender on request of prohibited items or items used, or which may be used in a manner prohibited by the Act for which this is the Bill. The Second Schedule details some of those, and I will give some examples: illegal drugs, fireworks, flares and explosives. We would need to ensure that in our Schedules we provide a mechanism that would prevent persons from bringing these items into the stadia.

Clause 18 provides for the prohibition of the sale of goods or services in a CWC 2024 venue during a match period. Clause 19 authorizes the taking of photographs of persons who are suspected on reasonable grounds to have committed or have been involved in the commission of an offence in a CWC 2024 venue. Clause 20 provides for any person in such a venue who has committed or has been involved in the commission of an offence to provide his name and address to a police officer.

Mr. President, Part IV of the Bill takes into consideration clauses 21 to 26, making provision for the control of advertising. One of the Bill's cornerstone philosophies conserves the protection of commercial rights, which is a major obligation laid down in our commitment in the hosting agreement. These rights refer to all the rights of the IBC and the CWI and the various licences in respect of sponsors, suppliers, media rights, including broadcasting, sound and images in all forms and all other rights of a

commercial nature. We need to ensure that sponsors' rights are protected, because they may then sue the IBC, CWI and the local organizing committee. Mr. President, some of those official sponsors, just to name a few, include Aramco, Emirates and Coca-Cola.

Clause 21 prohibits certain advertisements on structures within a declared match venue. Clause 22 provides for the prohibition of the use of airspace during a match period over a CWC 2024 venue. That is to say the overflight of aircraft subject, of course, to national security aircraft and other such. Clause 23 provides for the prohibition of certain advertisements that relate to, or are connected with CWI, which is false or misleading.

Clause 24 prohibits the commercial broadcasting, telecasting, recording or filming of any information relating to a CWC 2024 activity without the approval of the CWI. Clause 25 prohibits certain trade practices. It deals with what is known as ambush marketing by intrusion. As Members of this House will recall, ambush marketing is an attempt by persons or companies to claim or infer association however slight, with an event of which it is not a direct or official sponsor; in other words, persons who try to make financial gains on an event to which they have not contributed financially.

We have the example of the 1996 Cricket World Cup in India, the “Nothing Official About It” campaign by Pepsi during that World Cup, who had literally taken the thunder from under the official sponsor Coca-Cola in that year, in one of the most disruptive moves in ambush marketing history. That campaign was both combative and disruptive and showed cricketers rejecting the official of the Cricket World Cup, Coca-Cola in favour of the

unofficial. That is why this ambush marketing clause is very important, in order to protect the commercial rights of official sponsors of CWC 2024.

Clause 26 prohibits the promotional use of CWC 2024 tickets. Part V of the Bill, which include clauses 27 to 38 and deals with the protection of CWC 2024 marks, indicia and images. Clause 27 provides for the prohibition of the unauthorized use of a CWC 2024 mark. Clause 28 provides for the prohibition of the infringement of such a mark or any other mark of ICC, ICB or CWI. Clause 29 seeks to set out the indicia of CWC 2024 and images that are not to be used without authorization, and the Third Schedule to the Bill contains that list. Subclause (3) provides that indicia and images that so closely resemble CWC 2024 indicia or images has to be likely to be mistaken for them by a reasonable person are also to be regarded as CWC 2024 indicia or images.

Clause 30 defines the actions that constitute application of clause 2024 indicia and images to goods and services. It includes the application of the indicia and the images to the goods as well as the application of advertisements to promote goods and services. Clause 31 seeks to specify that CWI or IBC may license a person to use any one or more of its indicia or image purposes. Clause 32 provides for the prohibition of the unlicensed use of CWC 2024 indicia or CWC 2024 images.

Clause 33, and this is an important clause, seeks to ensure that the legitimate interests of third parties in the use of CWC 2024 indicia and images themselves, are not unreasonably compromised. It provides that the use of the mark indicia or images for the purpose of, or in connection with the provision of information, or for the purposes of criticism or review is not

itself an infringement. In other words, the provision of factual information such as the reporting in the media as is guaranteed under our Constitution is to remain unaffected by the restrictions otherwise imposed in the Bill.

Clause 34 provides for the detention of goods that have a CWC 2024 mark, indicia or images which are not authorized to be used for commercial purposes. Clause 35 obliges the Comptroller of Customs to notify CWI or IBC of the detention of goods bearing CWC marks, images or indicia, and within 21 days of receipt of the notice, the relevant party may apply for an injunction respecting the importation of such goods.

Clause 36 authorizes the Comptroller to release goods in question where no application for an injunction has been made within the specified time or where the release has been consented to by the CWI, IBC or a licensed user. And subclause (2) authorizes the Comptroller to release the goods if he is of the opinion that there was no contravention and that an application for an injunction was not made in relation to the importation of goods.

Clause 37 provides power to the Comptroller to retain and not to dispose of detained goods. Clause 38, Mr. President, seeks to preserve existing rights, subclause—and again this is important for purposes of our national sovereign rights in this country, subclause (1) makes it clear that existing rights granted under our Trademarks Act or the Industrial Designs Act in relation to the CWC 2024 indicia or images or any other protected thing are not affected by the operation of this Bill.

Subclause (2) provides that the clause does not and is not intended to affect the use of any mark, indicia or images by a person if immediately

before the commencement of the Act, for which this is the Bill, that person would have been entitled to prevent another person from passing off goods or services as the goods or services of the first person. Subclause (3) seeks to make clear that the Act for which this is the Bill does not apply to and is not intended to apply with the use of a registered name in connection with a business, where the business name was already registered in relation to that business, immediately before the commencement of the Act.

Similarly, subclause (4) makes it clear that the Act does not and is not intended to affect the use of a name of an incorporated company where the company existed or the name was used in connection with a business that the company carried on and the company used the name in connection with that business immediately before the commencement of this Act.

Mr. President, Part VI of the Bill deals with clauses 39 to 45, which deal with remedies. Clause 39 allows the court to grant injunctions in certain circumstances. Clause 40 provides that a court may order a person by such means as the court thinks fit, including by broadcast or Internet publication, to publish corrective advertisements if it satisfied that the person has contravened the provisions regarding the use of marks, indicia or images. Clause 41 provides for damages to be recoverable by action in the court. Clause 42 provides for an order by the court granting relief by way of an account of profits and clause 43 provides a limitation in claiming both damages with recovery of loss of damages and damages based on an account of profits.

2:15 p.m.

Clause 44 provides for the destruction or delivery of goods by order of

the High Court. Clause 45 provides for any other remedy that may be provided by law. Clause 46 allows for the amendment of this Bill by Schedules—of the Schedules of this Bill by order of the Minister with responsibility for sport and for the making by the Minister of negative resolutions to further regulate conduct under the Bill. Clause 47 provides that the Act binds the State. Clause 48 is the sunset clause providing for the expiry of the Act on June 30th, 2024.

Mr. President, in conclusion, I am able to say with a certain degree of satisfaction from the hard work that is being put in, that we have been party to enabling legislation in the draft which is before this House for the largest sporting event hosted in the region since 2007. With the passage of the legislation and the successful hosting of these matches, we will demonstrate indisputably to the world our capacity to successfully plan and execute a world-class event. CWC 2024 will promote Trinidad and Tobago and the Caribbean region as a whole as a premier destination for all of the world's nationalities with respect to sport and tourism.

Furthermore, Mr. President, the mutual recognition of visas will allow for the true integration of our fellow CARICOM host countries where, for example, as I have said before, a person coming to Trinidad and Tobago can then move freely to Barbados or St. Lucia in what we call a single domestic space.

Mr. President, this Bill would bring us together as a region in a significant way and will enhance the profit and popularity of West Indian cricket throughout the world. We will truly be establishing Trinidad and Tobago and the wider region as a leading sports tourism destination. Mr.

President, and hon. Members, with the passage of this Bill, we would be guaranteeing and have undertaken to use our best efforts to ensure that CWI and IBC can enforce its rights in full in relation to CWC 2024. Therefore this Bill is of importance. CWC 2024 is our country's event and a regional event and we ask for everyone to be on board. And in the circumstances, Mr. President, I have the pleasure to say, I beg to move.

Hon. Senators: [*Desk thumping*]

Question proposed.

Mr. President: Sen. Roberts.

Sen. Anil Roberts: Thank you, Mr. President. I want to assure the hon. Attorney General that while the Cricket World Cup is very big, that size is not all that matters. We are here today, 32 days before the World Cup, and I must commend the hon. Attorney General for going into a realm that he has never ventured before like Star Trek to apologize to this Senate for the late arrival of these documents, this critical Bill, which just not involves a love for cricket and a love for sport. There are some very serious implications for the passage of this legislation which requires certain cogent, intelligent debate and consideration, not just saying that we love cricket, and cricket is coming, and let us all celebrate. So I must commend the Attorney General for having the courage to apologize and he should follow suit and continue down that vein and even apologize for things in the past. While he is doing that, as he commended the head of the LOC, Mr. Douglas Camacho, I would like you to let him know also, while he is organizing cricket to see about the AstroTurf for the hockey players that is there, defunct for eight years.

We heard from the hon. Minister that many meetings were held and

this is why this Bill is late and even though it is late other islands may be late also. I do not think that we should judge ourselves and our democracy and our Parliament by who is late and say because they are late it is okay for us to be late. We should be leaders and we should take this sort of event very seriously to ensure that we not only promote the love of cricket, but love of country. But all these meetings in March of all the Attorneys General and so on, the hon. Attorney General said that this Bill is similar but not exactly the same as the 2007 Bill. I would like him to go through when he is wrapping up, and just point me in the direction where these vast changes are because I am of the opinion that it is very similar and we have gone ahead 17 years. The world has changed. So we must not just accept from global players what they gave us 17 years ago. We are showing that we have not progressed just to accept this because there are some very critical things in here, and we would get into it quite quickly.

But before we go ahead, I would also like to say that we just had a major CARICOM Cricket Conference chaired by our hon. Prime Minister and one of the conclusions was that we as the Caribbean should really take a look and renegotiate the CPL contract which was signed for 50 years and which has some of these same sort of clauses, anti-competition, monopolistic views that cause the countries that host these matches to not really benefit down to the ground, does not trickle down to the businesses and the man on the street, and so on. So how can CARICOM be suggesting that we should renegotiate CPL but come in the Senate to bring something which is as onerous and as oppressive as that CPL contract? It baffles me.

We shall move quickly on. It is 48 clauses, but do you know that, for

example, there is a clause that deals—clause 35—instructing the Comptroller of Accounts? That the Comptroller of Accounts now has another boss, which is the CWI and the organizers of this tournament, that they could instruct the Comptroller of Accounts on what to do, how to hold goods, when to release, if to go for profits. Did you all discuss this with the Comptroller of Accounts? How does this fit into our Constitution? How does this work?

You bring this here, some very serious—I am not sure if people read this you know. So we will go into it in more detail. But clause 3, for example. Clause 3 says this would provide for the declaration of any area within the control of the local organizing committee or Cricket West Indies as a CWC 2024 venue and the declaration of a period as a match period. This is to be done by public notice, published in the *Gazette*, and in at least one daily newspaper to cede control of the local organizing committee for an area.

So we say for example “we using” Brian Lara stadium. The local organizing committee says well two miles from that is all our match area. So, therefore, restaurants and bars and businesses and groceries, anybody in that area has to come under a new authority, not the laws of Trinidad and Tobago. They now have to take instructions from a Cricket World Cup organizing committee who are trying to make a profit while these citizens are going to be suppressed and oppressed. We have to think very carefully before we approve this.

We heard the hon. Minister talks about sports tourism. Of course, sports tourism is incredible and is a way to diversify the economy, but I am

not sure by reading this and checking the matches we have and seeing the template and reading the Bill if the hon. Minister of Tourism, Culture, and the Arts was consulted in this Bill. If the hon. Minister of Tourism, Culture and the Arts, when he gets up to speak, he will let us know if when we were bidding for the package if he had an input or if his Ministry had an input to show the cost-benefit analysis of different packages and what would we be doing because there will be two billion, 'b-b-billion' people watching this event. But they certainly would not be watching Afghanistan play Papua New Guinea in the Brian Lara stadium.

That is what we have. We have four matches. Only one of those matches, other than the semi-final four matches, and a semifinal, we have one match that would cause traffic; West Indies/New Zealand. We have Papua New Guinea and then New Zealand versus Uganda. With all due respect to these wonderful sovereign countries, they are not cricketing powerhouses that are going to set the world on fire for the people across the globe to turn on their TVs to see the brilliance and the batting exposure and skill of Papua New Guinea; if it was a rugby match maybe.

2.25 p.m.

So I do not know where all of this, we do not know what is the benefit, the cost, because I see our stadium, the Brian Lara stadium, which is the most costly stadium on the planet, per seat, at a whopping US \$135,000 per seat, \$1.3 "b-b-billion". I see works going on there to renovate and refurbish a brand new, expensive, just-opened stadium, where surrounding it you only have "sapatay mud" and razor grass. But we are saying that we want to use this World Cup to generate revenue when—and we have for

example, the Queen's Park Oval. We are using it for warm up matches but this is why I am not sure if the Minister of Tourism, Culture and the Arts was consulted. Because I know that the Ministry was looking for a master plan approximately 14 months ago for sport tourism. I do not know if they received any—from the request for proposals, how many proposals they received, if they are vetted and selected. But after eight and a half years in in Government, this PNM Government is now looking last year for a master plan for sport tourism with all our facilities being undermanaged, mismanaged and in a state of dilapidation.

However, we are thinking to maximize an investment. Everybody loves cricket, Cricket World Cup is exciting, West Indies still managed to put together a three-hour game T20, so we could battle and maybe perform well. But we had the Queen's Park Oval and I would like one of the Government Ministers to explain the choice to move away from the Oval, a grounds of great legacy and history, a grounds that in itself is a tourist attraction, that people will want to see the Brian Lara stand, they would want to see where Colin Croft and Holding played cricket and the West Indies decimated England for 53. There is something about the Oval that engenders respect and desire to view across the globe.

Furthermore, the Queen's Park Oval is smack dab in the middle of our busiest commercial area for restaurants, food, entertainment, and so on. So if you are encouraging visitors to watch cricket, you would want them close to be able to spend money so the multiplier effect will go down, that when the game is over they go and eat some food down on the Avenue, they buy some beverages and business owners, citizens, make money. That is part

and parcel of the benefits of hosting. But when you go and you choose to put the matches only by “sapatay mud” where they have no businesses, no food, nothing around, why did you do that? What is the purpose? Was it just to say that you spent 1.3 “b-b-billion”, and you need to play a match in the venue? Let us know. Please give us some clear statistics. This is a lot of money being spent.

The Government just spent over \$135 million on the Commonwealth Youth Games. I love sport more than anybody, but they spent a lot of money to fix up and paint up, and power wash facilities, but did not invest in the athletes to also understand that there are different levels to hosting. You do not host games and then not perform well. You host games to promote your country, to promote your brilliance, to promote your culture. And you do that by your athletes showing prowess. All I could say is thank the Lord for the swimmers Nikoli Blackman and Zarek Wilson—

Hon. Senators: [*Desk thumping*]

Sen. A. Roberts:—who brought gold. I will not suggest or may I—let me make sure to disclose that I am heavily involved in swimming and as a coach, so “ah doh want no” Standing Order 53 whatever it is, right? “Ah doh want to go privileges.” So let me say my bias towards the sport of swimming. So we want to hear and understand because this is a serious debate, and while we all love cricket, I feel I love it more than anybody else, that these 48 clauses have some serious issues in it.

What were the benefits of sports tourism? We talked about marketing, yes, the main benefit of sport tourism and hosting an event is that 2 billion people potentially will be watching it, but already we lost the boat.

We missed the boat because Barbados has eight matches including the final, and some of their group stage matches, they have three Super 8 matches, we have no Super 8. They have matches including England and big teams that people will watch. Even the USA who is now venturing into cricket, they got matches including Pakistan and India.

When you have the Indian team playing, you already have 1.2 billion people watching. And if 1.2 billion people watching, you could then show them Trinidad and Tobago, Maracas beach, shark and bake, doubles, music, tassa, Pigeon Point, Englishman's Bay. You can do that. But if you go and you bid and get Papua New Guinea vs Afghanistan, the only thing you might get is a war. We do not understand what is this going on. And do not mamaguy us here. We are here for diversification to move, to create jobs, to create some sort of income.

Barbados, eight matches with a final. Antigua, four Super 8 matches. And already we see Barbados, for example, the hon. Attorney General tried to put forward that everybody behind and everybody late. I just watching—I think IPL the last match I watched a few days ago was match No. 39 in the IPL that has been going on for about three to four weeks, Barbados has been advertising nonstop on the IPL, which when you are watching IPL, the cost of one ad, 30-second ad, they were running 15-second ads, but the cost of a 30-second ad could be upwards of US\$50,000 per spot. And Barbados is advertising with beautiful water, and cricket bat, World Cup Barbados. “I eh see ah Trinidad and Tobago yet. I eh see ah ad. I eh see ah pan. I eh see a moko jumbie. I eh seeing anything yet about Trinidad and Tobago World Cup that we are marketing to earn money.” It is the best-kept secret.

Furthermore, with all due respect to Barbados. If we have to target markets—so we are advertising on the IPL, the biggest and the largest audience to watch the IPL, India, Sri Lanka, the Asia, then to Australia and so on. Whose culture is more appealing to Sri Lanka, Malaysia, India, than Trinidad and Tobago? We can appeal. We have a comparative advantage. People will want to come and see to compare, to feel comfortable because that is who we are, but “Ah cyah” see it because the PNM is not sure what they are doing, when they are doing it, why they are doing it. And they rush in here. The PNM should be an obituary. Every time they come is, “sorry to be late”. “We come—sorry, we need an extension, we account late. De money loss.” We have to approve this or else we cannot move forward with the accounts. “We come here; World Cup is 32 days, ball ready to bowl, bat ready to swing, come here and approve this, but it is sunset legislation; it will go away on the 30th of June.”

Their legacy, World Cup, these hosting events. They produce legacy moments, yes, the hon. Minister talked about facilities. But you see, facilities legacy could go positively or negatively. You can do facilities and develop and spend money that continues to add value to your citizens and your population going forward, like the London 2012 Olympics. They did the venues in the East End, the east side that was poor, impoverished, it had gone through a gentrification. They said they made an investment that they are going to put the major facilities there to generate income, to generate activity, rebuild housing, and so on, and now the east side where the Olympics was in London 2012 is booming, young people have jobs and opportunity, poverty rates have diminished.

But then there can also be the legacy—“ah trying to concentrate”, you know, I see you listening, Mr. President, but the hon. Minister of—

Sen. Lyder: Trade.

Sen. A. Roberts:—of Trade, the hon. Minister of Trade and Industry is really disturbing me.

Mr. President: I am hearing you.

Sen. A. Roberts: Thank you, I know, but you see I “eh” reading you know, so I need to concentrate. “Some ah dem does read off dey laptop and dey iPad, right.” But when there is also—the legacy could be negative. Like the Montreal Olympics 1976, which we fondly remember as our greatest moment, when Hasely Crawford won that first gold medal. But Montreal is still in debt of hundreds of millions of dollars from bad investment, spending money wrong on stadia that were never utilized to their maximum after that. So you have to be very careful in what you are doing.

Already, we have had experience with the PNM in 2007 when we got a brown package, now we get a brown bag. The PNM said they are building the Tarouba stadium no matter what for the World Cup 2007, it was never completed, World Cup came and went, they said it might be a tsunami shelter, but the problem is the rest of the Caribbean built stadia all over. Grenada, built a stadium, Barbados improved their Kensington Oval with a new fancy pavilion Trelawny, Antigua built one, Dominica, Trelawny in Jamaica. And the average cost per seat in those islands was US \$3,000-\$5,000 per seat.

Sen. Mitchell: Excuse me, on a point of order 46(1), please. I have allowed him, but he is rambling on irrelevance.

Mr. President: Okay, so Senator, you made your point in relation to the building of stadia, the cost of seats in the beginning of your contribution and a little bit more with examples now. What I would like you to do is to focus on what is before us, which is certain things that need to take place in order for this particular event to be hosted in June. Continue.

Sen. A. Roberts: Thank you, Mr. President. Mr. President, another benefit of hosting is visitor's spend, for example. And clause 5 of the Bill says this:

“...would provide for traffic control and...making of deliveries within any CWC 2024 Venue. This clause addresses the closure of roads or the institution of measures to control and regulate vehicular traffic for the purpose of CWC...”

How necessary is this going to be? Because as I said, they made a decision to put all the matches out at a venue where there is no benefit and trickle down to the communities around. And the hon. Minister could tell us what will happen with that.

As you could see, for example, if you had positive examples to look at. In Germany 2006, when Trinidad and Tobago was privileged to attend the World Cup after qualifying in November 2005 against Bahrain, what Germany did, even with these capricious, difficult, stringent agreements, and host agreements that are designed to make sure the owners of the competition, in this case the ICC and CWI, or in the case of football FIFA and so on, that they make maximum profit. That the benefits to the country are limited, but you need to be strong to—or creative to make sure that your country benefits.

What Germany did in 2006 was novel. They made, they did not—

normally in a World Cup, host countries in a group would stay in one town or city, and they would remain there and play three games. Germany said, “no, we want to share this money across, we want to increase spend in transport, different towns”. And so what Germany did was, you play one game in Gelsenkirchen, your next game you go to Munich, your next game you go to Cologne, and they generated immense revenues from that. We need to see that sort of initiative and creativity or negotiating skills.

The hon. Attorney General said that all the Attorneys General met and so on, but what has the negotiation done? For example, we just came out of a World Cup Football, probably the greatest World Cup based on football excitement organization ever in Qatar. But for the first time in the history of World Cup football, no alcohol was sold in any of the venues. That was not in the host agreement. Qatar was instructed to go in their Parliament to go and pass legislation to ensure that Budweiser and the major sponsors of world football could make money and Qatar said, “No, we are not allowing that.” And FIFA had to bend and negotiate and allow Qatar to have dry stadia, and the World Cup was absolutely successful.

2.40 p.m.

So I want to know when the Attorney General gets up, did we just take this straight from ICC and CWI? What did we negotiate? What changes did we implement? What did we tweak in order for us, as we are saying—because the PNM is saying that we are doing this to generate revenue, to diversify, to create jobs, to get some money into the economy. Show us where you did little adjustments and negotiations. Because if “Jumbo” was alive here today, he would get a heart attack, and may he rest

in eternal peace, because “Jumbo” will not be able to sell nuts when we pass this. They will not be allowed to. The concessions are those of the sponsors and those who control.

We heard about stadia and sponsors. Did UDeCOTT sit down with those companies who paid annual subscriptions to the Brian Lara stadium for those fancy booths up there—did UDeCOTT sit down with them before and tell them, alert them that even though you are paying this amount of money for this period of June 01 to June 30, 2024, you will not have access to your booth that you have paid the Government of Trinidad and Tobago a lot of money for? Was that told to them? Was it negotiated, or are they now learning this, and are they now going to find out, “A-a, I thought I was going to watch cricket in my fancy booth because my company paid UDeCOTT and the Government X amount” and now they are going to be told, “No, no, no, you have to go and buy ticket for yourself”?

Do the hon. Ministers also understand that while they see CPL is going on, they see pictures on social media, and so on, of them enjoying themselves, and so on, that they have no complimentary for them too? Because if you do not have a CWC ticket, you “eh” going inside. So did they understand that? Have they put in—did they even negotiate for themselves, for the dignitaries to go and enjoy cricket? Well, they will soon get a rude awakening because they will have to go and ask some other committee member, somebody in CWI for a pass and ticket in their own country that “dey swear on ah Bible to be ah Minister”. So that is—I am just alerting them to know, “doh tink all yuh going and watch no cricket unless

dey going and buy dey ticket”. I know that they like the complimentary and so on. So we are moving ahead.

When you host—I know that Trinidad and Tobago cannot directly impact the performance of the West Indies cricket team, but we indirectly impact it by the development of cricket in our country. When we won the T20 World Cup, Trinidad and Tobago Red Force, 2008, 2009, 2010, 2011—“baddest” team on the planet. When they picked a West Indies team, six starters, Trinidad and Tobago, whether it is Pollard, Bravo—

Hon. Senators: [*Desk thumping*]

Sen. A. Roberts:—Ramdin, Sunil Narine, come down the line, Rampaul could get a sweat, Lendl Simmons. Now, through the decimation of our Trinidad and Tobago cricket by this unfortunate Government, we have the lowest number of Trinbagonians on the West Indies team. So my point is that one of the benefits of hosting, spending millions of dollars refurbishing stadia and so on, is that your young people get inspired, they see their heroes and they can feel them and touch them and want to be like them, and they go and they get involved in sport, they get involved in other things. We have not even seen any essay competition for a primary school.

We have not seen any intensity or passion being developed across the board, but we are spending money to refurbish, we spent 135 million for youth games, we get nothing, we see nothing, no benefit, but “de money gone, but money spent”, and this cannot be the way that we go forward. When we invest, we must get return. So somebody on the Government side has to stand up and tell me what returns we are going to get. When you think about sporting events like this, the geopolitics is so great also, and

especially in our world that is fraught with evil and wars right now, they need some light. So when you see a country hosting a big game, a big championship like the hon. Attorney General said, huge, massive, they do it to take their place amongst others.

In 2008, China hosted the Beijing Olympics. They did not just host it just to make money, they also hosted it to show the world that they were ready to be a superpower. So they were ready to perform and win, and they won the most gold medals in history, and China took themselves into a lead position. We, in Trinidad and Tobago, have been leaders in the Caribbean, and now the PNM has turned us into followers. We are following Barbados. I am watching IPL, I am watching cricket, I am seeing the games that they get, and I am feeling like a second-class citizen in the CARICOM because Barbados is moving ahead, because Barbados “doh” have the PNM, Barbados “eh” give us a brown bag.

Hon. Senators: [*Desk thumping*]

Sen. A. Roberts: “We get brown package” in 2007, brown bag now and the only one who is getting to spend money and do anything is Noel Garcia.

Clauses 7, 8, 9 and 10, Mr. President, they say no taxes on sale of tickets. There is a waiver of import and export duties. No taxes, no VAT on sale of memorabilia. Well, this PNM Government—this cannot be right. Because you seem to “love up yuh guests but yuh doh like yuh family”. That is like you come and you treat your children bad, house is dirty, you cook, you eat bread and so on, and every day your family is suffering, place is dusty, but when guests come, you bring out the nice dish, you cook the goat and the sada roti, and you prepare the nice glass and sorrel and so on for

your guests, and as the guests are gone, you come back and suffer your family. That could never be right.

This Government is taxing the citizens of Trinidad and Tobago, property tax is coming, online tax, VAT is back on food, but some people are coming to run a competition, no tax, no benefit to the coffers of Trinidad and Tobago, while they are selling their products and their memorabilia with a little logo on it for exorbitant maximum profit and we, in the Senate, are going to approve that. So we are basically saying, “We doh love our own, we love these people who coming to put on ah party in our country, paid for by us, with no benefit to us.” This could never be right, the PNM is upside down.

Clauses 39 to 44 appear ludicrous, Mr. President. They really appear ludicrous. And I wonder if the Attorney General really went through this, and the Minister in the Office of the Attorney General and Ministry of Legal Affairs, and other lawyers because it appears ludicrous, arrogant, oppressive and dictatorial. In fact, I find this agreement “kinda fass and out ah place”. That is how, when I read it, I just felt about it, that these people are coming to my country and “dey fass and out ah place”, because:

“Clause 42 would provide for an order by the court granting relief by way of an account of profits.”

So these people that we are going to approve here, we are now instructing our courts, we are eliminating separation of powers for us here—there is separation of powers. We have respect for the Judiciary, we have respect for the judicial system but here it says, that these organizers that we are going to approve here for 30 days, they could instruct an order and get—

“...provide for an order by the court granting relief by way of account of profits.”

So if they catch somebody selling jerseys with a fake logo, they can instruct the court to get profits from that person. So the court would have to assess, you sell 100 jerseys, you make \$10 per jersey, so \$1,000, the court will go and tell you, “Pay \$1,000 to these people who come to run the competition.” Are we seriously going stand here and just approve this because we love cricket? I think this needs very deep discussion, amendments, and we need to be very careful. Did we sit as Attorneys General and agree to that?

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

We are a sovereign nation. We are a sovereign state. We are republican. We have our own PNM president. We are here as a country and these people cannot come here and do as they please. The PNM cannot even account for \$3.39 “b-b-billion” in taxpayers’ revenue—

Sen. Dr. Browne: Mr. Vice-President, on a point of order. Standing Order 46(8), 46(1), and those are the two points of order raised.

Sen. A. Roberts: Only that?

Sen. Dr. Browne: Mr. Vice-President, I asked for a ruling on these matters. The Member knows he made an insinuation that is completely unparliamentary.

Mr. Vice-President: Sen. Roberts, 46(8) is upheld as it applies to reference to the President.

Sen. A. Roberts: Of the reference to the?

Mr. Vice-President: President.

Sen. A. Roberts: As?

Mr. Vice-President: A PNM president.

Sen. A. Roberts: A PNM?

Mr. Vice-President: Yes.

Sen. A. Roberts: I withdraw that.

Mr. Vice-President: Thank you.

Sen. A. Roberts: I humbly apologize—

Mr. Vice-President: Thank you.

Sen. A. Roberts:—and I withdraw, Sir.

Mr. Vice-President: Proceed.

Sen. A. Roberts: You know, clauses 7 and 8, they talk about visa requirements waived. This is very interesting because the last time I checked, the 150,000 Venezuelans coming through the Gulf “eh need no visa because de border open”. But here, for a cricket tournament, we are saying, “Visa waived, come through everybody because we want to have ah party.”

“Clause 9...the waiver of import and export duties”

Clause 19—the hon. Attorney General said it is so easy, that these people who control these stadia now, on our sovereign soil, that is not belonging to us but belongs to them for 30 days, they could take pictures of anybody they suspect of doing criminal activities and disseminate the picture—keep the picture, have the picture—what is that? Our police cannot even do that. Our police cannot just take picture and put it up on *Beyond the Tape* and say, “We suspect that person of a crime,” but we are approving a legislation here that gives these people the authority in their stadium now—because I have to use the word after we pass this, it is not ours—that they

could say they suspect—suppose they do not like the PNM, and they see a Minister coming and they take a picture and say, “We thought they were selling some jerseys that were unlicensed,” and they put that up on social media, they send it to the police? That is not constitutional. We have rights here and we need to adjust this, and you all need to read it and check and see what we are really approving, because we have a right to privacy, we have a right—we are innocent until proven guilty. We are coming to tell foreigners, “Dem could just make we guilty, take we picture”? Absolutely not.

So, Mr. Vice-President, I ask the Government, as a cricket lover myself and understanding that the PNM does not love cricket nor sport, as espoused by their policies—because we could talk but words do not show love, actions and deeds show love. Merry Boys feel no love on the grounds that were boasting they are going to have practice matches for these foreigners to come, this company to make a profit, but Merry Boys down in Bagatelle cannot even use their own ground, “dey lock out, dey had stick fight, dey park on de ground, all dey reserve matches done”.

Cricket is at its lowest ebb, no primary school cricket competition last year. Our national team came fifth in a Caribbean competition and this Government is coming to tell me, “We love cricket because we have our World Cup coming.” I want to know from this Government—

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

Sen. A. Roberts: I do not even need the five minutes, I am accustomed to 40, Mr. Vice-President. I just borrowed Sen. Wade Mark's extra five minutes. What are the benefits of this? Where is the cost-benefit analysis?

How do you determine that you are giving me Afghanistan and Papua New Guinea and Uganda and want me to go down there and watch it? Sweeping changes to the laws in this legislation affecting Customs, police, police action, judicial system; just so we had to come, laid yesterday and debate today, all of these critical areas in this country to be affected by this?

This is incompetence of the highest order, and no amount of apologies from the Attorney General will suffice. The country is tired of the apologies, tired of the tardiness, tired of the incompetence—

Hon. Senators: [*Desk thumping*]

Sen. A. Roberts:—tired of the PNM. This is disrespectful to the Senate. This PNM is tardy, lethargic, incompetent, pathetic and simply guessing its way through governance. We even have:

“Clause 47 that would provide for the Act to bind the State.”

Hear that word. That word alone frightened me, “bind the State.” When we vote here today, the State, which means all of us—not PNM alone, not Balisier House alone, you know, not contractors and not Noel Garcia alone, the State is bound by this for 30 days. All of our citizens, all our businessmen, all of our people are bound by this, when we approve this, when it was dumped on us yesterday for today. The PNM is making a complete mockery of the Senate, the Parliament, and the people of Trinidad and Tobago. This last-minute rush is unconscionable and negligent conduct. And the PNM must not only apologize, they must sit down, read, delay, make amendments and possibly even negotiate, at this late stage, with these organizers. Because “massa day done” long time, and we going to approve

something for “massa” to come back. We say, no. Thank you, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

2:55 p.m.

Mr. Vice-President: Sen. Sunity Maharaj.

Hon. Senators: [*Desk thumping*]

Sen. Sunity Maharaj: Thank you, Mr. Vice-President. I would also like to commend the Attorney General for easing my troubled heart on this issue. I was wondering whether this Bill had been, you know, clean bowled by the Government's very hectic legislative agenda. But seems to be a master of the late cut, he is coming at this minute, and we are here with it.

I would like to start by recommending, in light of some of the points raised by Sen. Roberts, that we consider—we look at something of the order of the Major Events Management Act 2007, of New Zealand, which takes a holistic view of the requirements of major events, including sports events like this, of this nature. International events like the, OAS summits, the various summits and so on. So, that we do not find ourselves here, in every case, looking on, event by event. The value of approaching this with that perspective, is that we get to settle here in this Republic, what our standards are for a range of the issues covered by this Bill—what our standards are. So that when we get into any discussion for a regional event, whether we are going into a regional event, we start from the position of what we have agreed on—are our standards.

Because you can often find yourself, when there is a regional event, when we have major events that are national, not regional, would apply, no

problem. But when we enter regional negotiations, all the islands, all the countries could find themselves at a disadvantage negotiating with an international entity that is profit-making, and that understands how important these things are to us, and they can get an ounce of flesh, that we prefer not to give. So the case that he raised about Qatar, was very clear in what their standards were, what they want. Might not be ours, that is theirs. And anybody intending to go to Qatar to have an international event, knowing that it might be very profitable—people are not going into these things for losing money. There is a good market there. You have—they are clear. You are clear on what they are going to ask of you, so that you do not find yourselves in the position of “we really want this thing, and therefore we will have to give a lot more than we want”.

The other point I want to raise is, I think to sum it up, we do not want this Cricket World Cup to happen to us, we want to happen to it. In other words, how do we take this and realize the potential that was promised by the Brian Lara Academy? When it was built, up in Tarouba, it was built as an investment into the development of a particular part of the country. It is an academy for cricket. It is located in an intersection between almost central, south Trinidad, which is cricket mark part of the country. Great, great location—I do not agree with Sen. Roberts in Arapita Avenue. Arapita Avenue has a lot of businesses. You can go any hour of the day or night, business. How do we actualize that potential that was promised by the Brian Lara Academy, to create an economic pool?

And I think that is the challenge when the Minister of Tourism, and possibly the Minister of Trade and Industry, joined this debate, that I would

like to hear what the plan is. I am sure you have a great plan to extract from this opportunity, the dividends on that project, in terms of tourism, and in terms of the incorporation of business. Most particularly, business in those areas. The business may not be on the site, but are there spaces to accommodate our, you know, community business, small business, medium-sized businesses, as part of the benefit of having the World Cup in that part of the country. So, that is what I mean by, not having the World Cup happen to us, but we happen to it.

It is not only the location. How do we tax our imagination to ensure that a match involving Papua New Guinea, Afghanistan and Uganda are not backseat? How, we have an entire Ministry of Tourism, Culture, and the Arts, an entire Ministry of Foreign and CARICOM Affairs, put together. By the time we are done with these teams, we should all know so much more. We should all love these people, they should know us. What is the programme for that? You know, and so that if those things are happening now, it is quite late. It is not too late, but it is quite late. But, I can imagine it has already been going on. And all that has happened today in this debate is that we will hear the strategic plans, and we will know what kind of targets, and we will know in terms of the investment, in getting these matches, that we will come out of it with profit. That it is trickled down, and passed on to people that can build on it. That is how we are building this economy. Right?

The other thing is, as happened in the World Cup many years ago, the joy that is experienced from creating a single domestic space. The camaraderie, the family, the sense of a Caribbean family that comes alive, is

likely to happen again this time. We do not have the big matches. I guess we are getting poor, you know. It costs a lot money. In Barbados, as he pointed out, they are investing. I am sure it comes at a big cost, but it is an investment. This is an opportunity, as we experience what it feels like as a member of the Caribbean family, how are we going to carry it? We are talking all the time about CARICOM, and we are talking about the single space, and free movement and so on. I would like to hear a little more about that agenda. Because we have to realize that, hopefully in our lifetime, and we have to do the things that build the family, build the Caribbean family, instead of dividing that Caribbean family. And I think this is an opportunity at this moment to put some regional issues on the agenda.

And I cannot close without mentioning the conference of last week, when the single biggest issue that turned up at the regional conference on cricket, was governance. We have serious governance problems in the domestic cricket sphere. We all know about it, we know that there are, you know, criminal investigations, investigations of financial wrongdoing. The time has come to really look at the legislative framework, under which these bodies operate, and to ensure that entities, that receive state public funds, through state subventions, comply with accountability standards, transparency standards, and democracy standards, in terms of how they get their boards, and how they operate and so on. And when that does not happen, for them not to be funded, until the matter is sorted out. We cannot keep going on.

It is not only in sport, it is elsewhere but, this particular Bill raises the issue of governance that we must not, in our euphoria that I am expecting

over June, which is sad for students, it is really most of them doing exams. We must not forget it, through the euphoria, the deep-seated problems of governance in cricket in Trinidad. So, I thank you.

Hon. Senators: [*Desk thumping*]

3.05 p.m.

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

Hon. Senator: [*Desk thumping*]

The Minister of Tourism, Culture and the Arts (Sen. The Hon. Randall Mitchell): Thank you very much, Mr. Vice-President. Mr. Vice-President, I would like to start by immediately agreeing with Sen. Maharaj where the Senator spoke about the Major Events Act that we should try here to emulate that occurs in—I believe it is New Zealand or Australia—New Zealand, because, Mr. Vice-President, we in Trinidad and Tobago, we have quite vast experience in terms of successfully hosting events. We have hosted a group of games in the 2007 World Cup and, over the course of time, from then until now, we have hosted a number of very successful CPL tournaments, and of course, Mr. Vice-President, every year we host a very large event in February or in March, depending on where Ash Wednesday falls, Trinidad and Tobago Carnival. But every year, or every time we host one of those events, we have to depend of course on the local organizing committees and the institutional knowledge that resides within those local organizing committees. We do quite well but sometimes it is very difficult to have to depend on that institutional memory that resides within those local organizing committees.

When we have a cruise season here, it is the same thing. You have to

get a local organizing committee comprising members of the Port Authority, the municipal police, the Port of Spain City Corporation, the Ministry of Tourism, Culture and the Arts and its agencies, the vendors, the tour operators; you have to get all of these people—of course, the Trinidad and Tobago Police Service. You have to get everybody on board and look at what the precedent was for the previous year and proceed, and hope that everything goes according to plan. So it would be very, very helpful in terms of this type of Act coming into force and these types of Acts would have, you know, regulations, subsidiary legislation attached to it that could guide these types of events in our national space.

Mr. Vice-President, I would move on and, I mean, I am pleased to add my voice to this debate of course. We are here to approve a piece of sunset legislation. It will expire on June 30th, I believe, with respect to the hosting of the Cricket World Cup, and this is not the first time that we are debating such legislation, we have done it in 2006. When you look at the *Hansard* in 2006, you would see a lot of the points that Sen. Roberts has released, but, of course, back in 2006 there was a lot more cooperation between the Benches and we did not have the sort of caustic contribution like Sen. Roberts, but Sen. Roberts is Sen. Roberts, he does not sing kumbaya—

Sen. Roberts: Kumbaya.

Sen. The Hon. R. Mitchell:—and he is a lover of sports.

Today is not the day to talk about LifeSport. Today is the day to talk about Cricket World Cup, so I will spare the Senator on that score.

Sen. Roberts: “Doh spare me, doh spare me, go ahead.”

Sen. The Hon. R. Mitchell: But Sen. Roberts is a swimming coach and,

Sen. Roberts, I would imagine, you would attend a number of these sporting events across the world. You know what happens in these events. There is nothing different to what we are doing here in terms of the curtailment of ambush marketing, in terms of the protection of commercial rights. Those things occur all across the world, so I am not sure the point that Sen. Mark is on where that is concerned. Sen. Roberts, I am sorry.

Hon. Senators: [*Laughter*]

Sen. The Hon. R. Mitchell: I was a bit confused.

Hon. Senators: [*Crosstalk*]

Sen. The Hon. R. Mitchell: No, no, same hairstyle, but, you know, Sen. Mark usually leads off from the Opposition Bench. I think Sen. Roberts got a little chance today because he is a lover of cricket.

So Sen. Roberts, he chastised the late arrival of the legislation. In 2006 we had the same situation, the late arrival of legislation and, of course, the council—I think they call it the CONSLE—the Council for National Security, Ministers, and so on, and the Attorneys General, they met for the first time in March right here in Trinidad, March the 8th, and there was considerably negotiation and drafting of legislation in our own national context and today we are here. It is not our fault. In fact, the Attorney General and his team ought to be commended for the quick turnaround of this piece of legislation—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Mitchell:—in terms of revising what went past in 2006, and bringing this legislation here today.

Sen. Roberts talks about, “no trickle down to the small man”. Of

course there is trickle down to the “small man”. Who brings the players from the airport but the maxi drivers and the taxi drivers? Who brings the visitors from the airport? You are talking about, “You are confining your argument to stadia”, but what do the people do when they are not in the stadia? What do our visitors, what do our players do when they are not in the stadia? They go to the same Maracas. They go to Ariapita Avenue. They go on tours. I do not understand that point about “trickle down”. Of course there will be visitor spend outside of the stadia, of course there will be.

Hon. Senator: Maximization.

Sen. The Hon. R. Mitchell: Any business coming under the designated area must come, and the Senator painted the picture that, “In a designated area like on Tragarete Road or Ariapita Avenue, they could designate two miles away from the stadia.”

Hon. Senator: Well, yeah.

Sen. The Hon. R. Mitchell: Yeah, but, Senator, you are missing a very valuable point in clause 3, that these matters cannot be designated without the consent—cannot be designated a CWC staging area without the consent of the owner of the property or else you will be curtailing people’s constitutional rights and, therefore, we would have needed a special majority to pass this legislation. So you are completely wrong on that score.

Hon. Senator: From what stadium? I have known other areas.

Sen. The Hon. R. Mitchell: Yes, and what I am saying is, if you go through the legislation, the “other areas”, you need the consent of the owners of those other areas to be so designated or else you would be curtailed. I am

sure you will agree, it is a curtailment of someone's constitutional rights and therefore you would need a special majority. So you are wrong.

There was another point that you made, you are focusing of course on Papua and New Guinea. The Senator claims to be an avid sports fan. The Senator would obviously know that in these types of competitions, you would have seeded teams and you would have teams that are not seeded. So while you are focusing on Papua New Guinea, you are missing out that within this group we also have the West Indies, who we love and support, and New Zealand, and of course, we also have a semi-final match here, which is different from what obtained in 2006. So the Senator, of course he is being caustic and he is trying to sell his open point, but the Senator is wrong on those scores as well.

So, Mr. Vice-President, I do not intend to stay long on this. We have bid for and we have received four group stage matches, running from June 12th to June 17th, and of course, as I just indicated, we have one semi-final match on June 26th. We also have, Mr. Vice-President, we have 10 teams in for practice matches and sessions, and these practice matches and sessions will be held at UWI Spec in Diego Martin, and as well at the Queen's Park Oval.

Sen. Roberts was questioning, "Well, why not Queen's Park Oval?", but that is not up to us, it is the ICC visiting here and visiting the venues that chose—

Sen. Roberts: No.

Sen. The Hon. R. Mitchell:—the Brian Lara stadium.

Sen. Roberts: The Prime Minister said he told him.

Sen. The Hon. R. Mitchell: You cannot say, no, I am telling you.

Sen. Roberts: But the Prime Minister said he told him.

Mr. Vice-President: Senator, may I remind you—

Sen. Roberts: [*Inaudible*]

Mr. Vice-President:—may I remind you of the Standing Orders to allow the Member to make his contribution in silence.

Sen. Roberts: Which Standing Order is that?

Sen. The Hon. R. Mitchell: Thank you very much, Mr. Vice-President, for your protection. In these practice games and in these practice sessions, we will have the schools and the clubs, young people coming out to witness, and these also we expect to attract a number of spectators to these games.

So, Mr. Vice-President, the Bill seeks to do a number of things. It seeks to make provision for the fulfillment of Trinidad and Tobago's commitment to the efficient and effective staging of the Cricket World Cup in 2024, and we find that in Part II of the Bill. Part II of the Bill seeks to manage the Cricket West Indies, as well as the local organizing committee seeks to manage and control of course the venues. In Part II of the Bill, it seeks to create the mutual recognition of visas, so that where one person travels on a visa, because there are people coming from many countries—where one person travels on a visa to one country, they do not have to as well get a visa to Trinidad and Tobago if they need to get a visa to Trinidad and Tobago.

In terms of work permits, it puts specific obligations upon the host country—in this case Trinidad and Tobago—to turnaround the application of work permits where applicable in a certain period of time, a certain window

of time. So it takes out that inefficiency there, and of course it waives duties and taxes on the imports and on the sale of tickets, et cetera. The Bill also deals with traffic control. We expect in an event, a competition to the magnitude of the Cricket World Cup, that the Commissioner of Police must be empowered and must be expected to make certain changes, of course advised by, in collaboration with, the local organizing committee, to make some changes to the traffic situation within the designated area. Again, Mr. Vice-President, this Bill speaks to and turns places within the designated area so designated as a CWC venue.

Mr. Vice-President, the Bill also treats with commercial rights of course within these types of events. There must be the protection of the commercial rights of the ICC, of the CWI, and of commercial sponsors. This is normal. With respect to intellectual property, protection of marks and indicia, et cetera, the control of advertising within the designated area, the control of the airspace so that nobody could just come and fly drones within the designated area and capture photos, and of course for security purposes, and as well for the unauthorized recording and filming and broadcasting, and ambush marketing which seems to be common in this type of competition and this type of event.

Part III of the Bill sets out matters with respect to the conduct that should be employed within these designated areas and during the time designated as a match period in the Cricket World Cup. I thought, Sen. Roberts, you would have spent a little time on the conduct part because I know that you have some experience there. Mr. Vice-President, I do not know if you were paying attention, but in 2007, Sen. Roberts had the

unenviable, inconvenient and uncomfortable position of being unceremoniously thrown out of a stadium for his poor conduct, so I thought that he would have spent a little time on the matter of conduct, as he then was known, “Spalk”.

3.20 p.m.

As he then was known, “Spalk” and I am quoting now the title of an *Express* article:

“‘Spalk’ host removed from Antigua stadium”

“Anil Roberts accused of being ‘racially abusive’”

This was by Gregory Lal-Beharie on Saturday, March 31, 2007 and he was accused of being racially abusive.

Sen. Roberts: By a South African security. Read the story.

Sen. The Hon. R. Mitchell: You know, Mr. President, I am being disturbed, but I am speaking to you.

Hon. Senator: Read the story.

Sen. The Hon. R. Mitchell: And I remember it—

Sen. Mark: Mr. Vice-President, two Standing Orders.

Sen. Roberts: No, “is all right”.

Sen. Mark: No, no, no. Two Standing Orders, 46(1), that is the first Standing Order, and the other is Standing Order 46(8) dealing with the conduct of a Member. Those are—he is quoting, the hon. Minister, is quoting, Mr. Vice-President.

Mr. Vice-President: You have raised the Standing Order already. Minister, please tie it into the argument of what you are saying, please.

Sen. The Hon. R. Mitchell: Thank you very much, Mr. Vice-President. I

am tying it because, Mr. Vice-President, if you look at the Bill it deals with the conduct that is required and is legislated within these designated areas, and what I am doing is, I am giving an example of the poor conduct, conduct contrary to this type of legislation that can cause you to be ejected unceremoniously from a cricket stadium, from a cricket stadium. So:

“Roberts, who is also known...”

And I am quoting directly from the article, so this is in fact and this actually happened.

“Roberts, who is also known as...”

Sen. Mark: Mr. Vice-President, 46(8), the Minister is quoting, he has to take responsibility for what he is saying. So, 46(8) is very clear.

Mr. Vice-President: Sen. Mark.

Sen. Mark: You do not do that.

Mr. Vice-President: Overruled.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Mitchell: Thank you very much. Again, Mr. Vice-President, I am quoting something that occurred in 2007.

Sen. Mark: But you have to take ownership of quoting.

Sen. The Hon. R. Mitchell: And I am talking ownership of it. I have just quoted the article, Mr. Vice-President, it is by Gregory Lal-Beharie written in the *Trinidad Express*, Saturday, March 31, 2007 and it went on to say that:

“Roberts, who was also known as ‘Spalk’” (for ‘Sports Talk’) told the *Express* by phone”—this is the hon. Senator speaking to the *Express* by phone—“that he was at the stadium on Thursday

afternoon when he was accused of being racially abusive.

‘...just out of the blue some ICC man just came and grabbed my (accreditation) pass out from my neck. Police lifted me and carried me outside,’...

‘All of a sudden an ICC official accused me, telling the police I was racially abusive. You all know me in Trinidad and Tobago, and that is not me.’”

That is what he said.

Sen. Roberts: Who was the ICC?

Sen. The Hon. R. Mitchell: But I remember, while listening to his programme while he was being accosted, he was racially abusing the man, but that is the type of conduct that will get you ejected. And we know Sen. Roberts and we know Sen. Roberts and good conduct are strangers. But Mr. Vice-President, as I indicated—

Hon. Senators: [*Crosstalk*]

Sen. Lyder: I am not accepting those false accusations from a foreigner.

Mr. Vice-President: Sen. Lyder, if you have a Standing Order to raise please feel free to do so. But, I remind of 51(1) which requires silence while a Member is giving his contribution.

Sen. The Hon. R. Mitchell: Thank you very much, Mr. Vice-President. Mr. Vice-President, I do not need to stay long on this, we have done this before, and this is a sunset piece of legislation. This legislation is required to more easily discharge the obligations of the local organizing committee as well as the obligations of the ICC and CWI. This piece of legislation is necessary. We are now going to experience another very, very large event

here in Trinidad and Tobago. It gives us tremendous opportunities to put ourselves on the map, to put our culture on the map, and of course, invite—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Mitchell:—a number of tourists and visitors here to experience the best that we have in Trinidad and Tobago.

Mr. Vice-President, with those few words, I commend this piece of legislation to the Senate and I hope that we receive the cooperation from the Opposition and from the Independent Senators to pass this very necessary and urgent piece of legislation. Thank you.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. David Nakhid.

Hon. Senators: [*Desk thumping*]

Sen. Lyder: Yes, yes. Oh, yes.

Sen. David Nakhid: In the name of God the most gracious, the most merciful. Mr. Vice-President, with all sincerity, as my colleagues would know, I had no intention of coming into a debate that I know my colleague would have covered well. But when I heard the hon. Attorney General come into this Senate and read out 48 clauses like he was reading “Mary, bring the cows home”, I do not know if “I in” a parallel universe. I thought when somebody talks about the benefit to the country of infrastructure, he will tell me, or point to where that infrastructure will be. When he talked about, as the hon. Minister of Tourism, Culture, and the Arts just got up, it is better if he had “sit” down and contemplated his problems with Pan Trinbago, but he got up and just talked about how it will benefit our culture and our country without telling me how it is benefiting the culture and the country. Then

again, I have to wonder why PNM seems to be this vacuous entity that never comes with anything that is substantive, but tells us the same thing over and over again, and we have to accept it over and over again. But should we? Why?

If this is a business opportunity for the country of Trinidad and Tobago, then you do not get what you deserve, you get what you negotiate and they have not shown us one time what they have negotiated for the people of Trinidad and Tobago, not one of them said anything to that. We would have thought with a sporting event, at least with respect to the people of Trinidad and Tobago, who should be here? Not the Minister of Sport and Community Development? They did not even have the common courtesy or dignity to bring the Minister of Sport and Community Development; they bring the Minister of Tourism, Culture and the Arts. Okay.

Sen. Lyder: Who is Minister of Sport and Community Development, again?

[MR. PRESIDENT *in the chair*]

Sen. D. Nakhid: As Sen. Sunity Maharaj said, this seems to happen to us, rather than we happen to it, it just falls upon us, but that is correct and you know why is that? This is a PNM Government that is expert at events, they said so themselves, events. But policy is what promotes events and the country, policy. And policy, that involves programmes, training, it is something that happens consistently over the years so when the event comes the country is ready, and the country is then promoted in a good way.

You have a Government here, I swear, Mr. President, if this did not come in legislation, I would not even know it had a Cricket World Cup

coming to Trinidad and Tobago. Plenty of people asked me, “It have a Cricket World Cup coming to Trinidad and Tobago”? I did not even know. I did not even know it had CARIFTA games coming. This is a Government that does no correct promotion, nothing.

“I watching de other day—Sen. Roberts referred to it, but I remember, I watching Al Jazeera channel, not only IPL, Al Jazeera, when I see this beautiful ad for Barbados, beautiful ad. A woman lie down on a beach, nice, you know, Ah go remember that , wearing cricket pads and she sipping a cocktail and they just put, 'Barbados'. Boy, I ready to book my flight to go Barbados and watch that. I did not even know Trinidad have—and they come here to talk and tell us here in the Senate that they promoting the culture of Trinidad and Tobago, but they cannot get away with that from me, I am a traveller.” Since I left Trinidad and Tobago at the age of 17 and a half, I am a traveller.

So two years ago, when this Government had the chance to promote the culture of Trinidad and Tobago, and they are talking about Papua New Guinea and India and so, and we could benefit, I do not know how we are benefiting, cricket-wise with that. But at leastif you have Papua New Guinea and India and Uganda you can have some kind of cultural exchange promoted, but they “cyah come and tell me that they going and do dat”, I will tell you why, Mr. President.

In the global fair in Dubai two years ago, that I happened to go to, where the Government of Dubai was paying for everything, everything, all they had to do was show up with some creativity and ideas. I went to that global fair and watched the Trinidad expo and was embarrassed, ashamed.

Sen. Nakhid (cont'd)

You go into the expo, first we had about two or three people only, two or three people and they had a pan, a pan just there, no interaction, no video showing Rudolph Charles from Laventille Desperadoes, no pan or video showing Winston “Spree” Simon, nobody, Ellie Mannelle, we could call all the names of the people who invented pan, nothing. Just a pan and something that looked like a Moko Jumbie just there. So, I went into the place and I spoke to the employee, I said, “You mean you all could not get somebody to come from time to time”? Because I went into the Jamaican expo; oh, wow. Oh, wow. Usain Bolt, Don Quarrie, Merlene Ottey, if you see all the footballers, all the cricketers, correct, right interactive, it was so—I made a video of it. Trinidad was sterile. So, I made a video of it and they tried to correct it about a week later, they sent up two people to play a little pan. And this Government now, knowing that they have this World Cup for how long, Sen. Roberts, how long they have this going on? Three years, four years?

Sen. Roberts: I do not know.

Sen. D. Nakhid: Three years or four years they have this.

Sen. Roberts: They found out in June 2022.

Sen. D. Nakhid: I “doh” even know, I swear to you. People on the ground “doh” even know that they have a Cricket World Cup and they want to tell us they spent one hundred-and-something million. We are talking about spend, Mr. President, they say they spent one hundred-and-something million in the CARIFTA games, they promised us they would upgrade the stadium including the Jean Pierre.

Until now, you go to the Jean Pierre Complex where they play the

netball, where we won, we were world champions in 1979, and all they do is rip off the chairs and leave it there, it is still the same way, nothing. They stripped the ground and all kind—I went there and made a video too. “Cause” I cannot believe that this Government continues to hold us for fools, for fools, just spending money on infrastructure and nothing that is substantive to the matter at hand. Cricket World Cup, Papua New Guinea and Uganda, I “doh” have a problem, personally, I “doh” have a problem. Next thing you know, we might bring and play against Montserrat or I “doh” know. That is not the point. We get Papua New Guinea and Uganda.

I go back to the point, Mr. President, in business you do not get what you deserve, you get what you negotiate and this Government has been poor in the business of promoting Trinidad and Tobago, that is what it comes down to.

So, I am looking at all these clauses, and they seem innocuous, you know, they will come and say, you know, it is just normal in any situation and we should follow the rules—but really and truly, Sen. Roberts was right. It is something more insidious because they made reference to Diego Martin, Sen. Roberts referenced “Berry boys” but I have a story that is accurate because it is one of the boys in my academy.

3.35 p.m.

He told me that they cannot enter the Diego Martin ground anymore, fenced off, locked out. But I will tell you who gets in, because some information, early morning you go in that Diego Martin complex, where it used to serve all the boys from Covigne, Waterhole, Bagatelle, fellas from St. Lucien Road, fellas used to—

Sen. Lyder: Richplain.

Sen. D. Nakhid:—Rich Plain—fellas used to go there and stay out of trouble, because you know, Diego Martin is in a mess right now. It is shots all around. They cannot even go in. The people told them that somebody stole a pump so they have closed off access to all “dem” fellas now. You know who still has access? Go around half past five, six o'clock, 6.30, Mr. President, “it is only Porsche and Land Rover you seeing in de place; Porsche, Land Rover, BMW.” You know why? They made a state-of-the-art gym for the “who’s who” of the PNM.

Sen. Roberts: Shame.

Sen. D. Nakhid: The “who’s who”. But the little black boys in and around Diego Martin cannot access the place anymore, and then they want to talk about crime and helping the country? Rubbish! Rubbish!

So, Mr. President, it is amazing to me how this Government, again, fails to grasp the opportunity to really do something for the country. So they will come last night and throw the Bill, and tell us—48 clauses, you know. “I vex” since this morning, you know.

Hon. Senators: [*Laughter*]

Sen. D. Nakhid: Woke up to pray and then had to go through all these 48 clauses, and I “eh” see one thing that points to how this is helping us; one thing. First of all, the games are unattractive. I have nothing against Papua New Guinea, but I might bring my side from Maingot and beat them.

Sen. Roberts: Correct.

Sen. D. Nakhid: Nothing against Uganda—I have been to Uganda, rising in cricket. Okay. But remember, we are Trinidad and Tobago. I think they

have failed to recognize—

Sen. Roberts: How great we are.

Sen. D. Nakhid:—how great we were.

Sen. Roberts: True.

Sen. D. Nakhid: They have failed to recognize where we are. I mean—

Sen. Roberts: Cannot even say it. It is so sad.

Sen. D. Nakhid:—I would not try to impress anybody. “I is a cricket lover. I like meh cricket.”

Sen. Roberts: “Yuh cudda play cricket.”

Sen. D. Nakhid: Represented St. Mary's, there are people who know that.

Sen. Roberts: That was your only problem.

Sen. D. Nakhid: I was not bad. But the one thing I understand is—

Sen. Lyder: They did not call you “small pin”.

Sen. D. Nakhid:—how you promote yourself. You cannot come here and tell us, you are promoting Trinidad and Tobago, and not at one time tell us how, not point to one ad internationally. I cannot turn on CNN and see an ad for Trinidad and Tobago and the cricket?

Hon. Senator: [*Inaudible*]

Sen. D. Nakhid: It is coming?

Sen. Roberts: “Small pin” was on CNN.

Sen. D. Nakhid: “Small pin” was on CNN? Oh, okay.

Sen. Lyder: He went to St. Mary's.

Sen. D. Nakhid: So, Mr. President, as I said, I went through all 48 clauses and I was expecting to see at some point in time—and I am glad that the Minister of Tourism, Culture and the Arts brought it up, how it will trickle

down to the small man. He said that. No, he said, “Of course, it will trickle down to the small man.” He “eh” tell us how, eh. He “eh” tell us how. With three years, four years advanced notice, you know what they would have done in another country? They would have set up and negotiated for people who are exactly like who Sen. Roberts had spoken about, like “Jumbo and dem”. Indigenous art and culture—in that same area, Brian Lara, there are spaces, that Sen. Maharaj said, they would have set those things up, but that is for creative thinkers. That is where they could have brought in the creatives, that we have so many of in Trinidad and Tobago that are being underused, underutilized, but they do not have it in them.

They just come through, CWI put this, we will get this, and the event mentality of the PNM—that is what I say about them, the event mentality. There are no policy directives when it comes to sport, tourism and thing. It is all about events. Something is happening, we will put on an agro-processing event. Something is happening, we put on a crime symposium. No policies to reduce crime, no effective implementation, but you will put on a symposium. Something about sports, you will have events.

Mr. President, policies should be the overarching directive. The events are just what we call the cream on top, the cherry on top, because if you want to talk about how it benefits, I want to see—well, Sen. Roberts just briefly mentioned it. I want to see if they could come and tell me—the Minister of Sport and Community Development—how many coaches they have in the primary and secondary schools in the last three years/four years coaching cricket, that would create employment. If you tell me the small man benefits like that, I will tell, yeah, that is a policy. How many talent

identification officers that you bring and you send into those communities, underprivileged, underserved, that could benefit from this event.

Sen. Mitchell: I hate to disturb him, but 46(1), please.

Sen. West: Indeed.

Mr. President: Okay. So, Senator, yes. The arguments that you are making are a bit broad. What I would like to hear is that it is tied specifically to a clause in the Bill. So mention the clause that you are referring to and then make your arguments in relation to it.

Sen. D. Nakhid: Mr. President, I was responding directly to the hon. Minister who said that the small man will benefit, but without telling us—

Sen. Mitchell: [*Inaudible*]

Sen. D. Nakhid: No, no, you said that. You said that the small man will benefit, but you never mentioned how the small man will benefit. I am giving the hon. Minister—challenged for ideas, obviously. I am giving him the solution because they are intellectually bankrupted on that side. I recognize that. So I am telling him how he could have gotten the small man, as he referred to him, to benefit. It is not only about the man selling the trinkets and the jerseys, you know. The small man is also the citizen of the country on the ground, the primary school student, secondary school student. You could have brought—you could have had the older cricketers coming and advertising it in the secondary schools. All of that alleviates crime. They have no ideas. They have no ideas.

You are sending all the older cricketers who are now—some of them, to be honest, I am telling you, I know plenty of them, football and cricket, are scraping for a living right now. You could have employed them. Instead

of spending \$145 million on a car park or some useless thing, use that in human resources. That is what they do not do. They do not do for them. It is not a people-centred government, this Government here. This is a waste of time Government. Time for them to go.

Hon. Senators: [*Desk thumping*]

Sen. D. Nakhid: Waste of time. You know what that could do—and I will make it simple for them without even going into any research—just take the problem areas, like they like to call it, their own areas, their own constituencies, send them to those schools, five, six, seven old cricketers, give them some employment and tell them, “You know what? Monitor, we have a World Cup coming up.” You could imagine the kind of interest generated, example, in East Dry River—

Sen. Lyder: That is a great idea.

Sen. D. Nakhid:—example, in Tunapuna in the Zone, in Maitagual? Send them into those poor areas, Piccadilly Government—oh, sorry, sorry, no Piccadilly Government, they closed down that. Send them into some of those schools, Rosary Boys, where I went to. Send those coaches with licences and so, that is how you generate employment. That is how you get the small man, small boy, small girl to become interested, and that is how you make an event, a national event.

Sen. Lyder: “All yuh”, take notes, eh. Take notes.

Sen. D. Nakhid: That is how you turn an event into a developmental scheme. That is how you benefit the country. So it is not only about dollars, how many dollars are coming in. That is not what we are talking about. The UNC is bigger than that.

Sen. Lyder: Yes.

Sen. D. Nakhid: The UNC has more ideas than that.

Hon. Senators: [*Desk thumping*]

Sen. D. Nakhid: They believe that we are talking about, how much they negotiate to get dollars and—no. You use an event to drive development, if you have ideas. If you do not have ideas, you get the PNM, no development. So that is all I am saying, Mr. President.

Sen. Lyder: Consult with us.

Sen. D. Nakhid: I am trying to teach my friend, the hon. Minister of Tourism, Culture and the Arts, how he could use his platform. I do not blame him. I blame him for that debacle that occurred in Dubai. He was directly involved. I blame him for that, because I saw that. I was so embarrassed, and I think from that he should have learnt. I am being instructed by my colleague here that it was the Minister of Trade and Industry. Whoever it was, they should have been some collaboration between the two. It was an embarrassment, acknowledged so by everybody who was at that global fair. It was so poor.

Mr. President: So, Senator, you have mentioned that a little earlier in your contribution and like I said, you are veering a little wide in relation to what is before us. So move on from that point. You have stated it before. Come back to the Bill. I will love to hear any other thoughts you have on other clauses in the Bill.

Sen. D. Nakhid: Thank you. So at clause 20 and other clauses, to make sure that I stay in tune with the Bill, where we actually see our autonomy, that made me think, how is this PNM Government so brilliant in coercing

so-called independent offices and when it comes to negotiations with outside entities, they are like little blind mice, they become coward? They do not know how to negotiate.

Clause 20—take a look at it—where they just concede everything, Mr. President, commercial, everything, take it. Just tell us what you need from us. Well, I have a few ideas. They could have negotiated with CWI, ICC, which is a \$1 billion entity; ICC. They could have, at least, tried to negotiate with them for equipment for our schools, for technical expertise for our academies.

I will come back to that academy that we are talking about, the Brian Lara Cricket Academy. I will like to posit here in this Senate that we remove the word “Academy” from that Brian Lara stadium. It has never been used as an academy.

Sen. Lyder: Never. Never.

Sen. D. Nakhid: Never been used as an academy. You could go to a million parties in that stadium, and not one young cricket player, cricketer in Trinidad and Tobago has benefited in an academy environment, and that is a shame. From what I understand, every seat cost—

Sen. Roberts: \$135,000.

Sen. D. Nakhid:—US \$135,000 to build that stadium as an academy. Now, if every Tuesday, Wednesday, Saturday, Sunday, we could go into that academy and see, Mr. President, 60, 70, 80 boys every hour and a half—

Sen. Roberts: And girls.

Sen. D. Nakhid:—coming in—and girls coming in and playing cricket, our old cricketers—because we have many who have excelled in the highest

levels—out, unemployed, coaching them, teaching them, then we look at that and say, “Well, that is money well spent.” But when you go there, it is “Stink & Dutty”; one, two and three, partying all the time, but nothing to do with an academy.

So, again, my opinion, Mr. President, when we hear these utterances from this Government that they intend to promote culture, what culture are we promoting? Is “Stink & Dutty” culture?

Hon. Senator: Yeah.

Sen. D. Nakhid: Somebody say, “Yeah”. I am not surprised. They will say yes to that, but as far as I am concerned, as far as the majority of the country is concerned—

Sen. Lutchmedial-Ramdial: Right-thinking people.

Sen. D. Nakhid:—right-thinking citizens, our culture is not “Stink & Dutty”. Our culture is when we used to look, as someone had said, and see five/six Trinbagonian players playing for the West Indies. You see Bernard Julien, Raphick Jumadeen, Imtiaz Ali, Deryck Murray, I could go on and on, playing for the West Indies, and you feel a sense of pride, and that pride was so much, Mr. President. You know how much that was? “It was not no school fights, you know.” You come the day Trinidad and Tobago is playing in the oval and you give the schools the afternoon off, and everybody is going down with enthusiasm, peacefully, to watch Trinidad and Tobago play—

Sen. Lyder: Those days are gone.

Sen. D. Nakhid:—walking down. We do not have that. Why? Look to your right, Mr. President. They have no ideas how to bring a country

together around an event, around development, to make sure that we benefit from this. So it is all haphazard, all—what they say?—“vaille-que-vaille”?

Sen. Lyder: Yes, “vaille-que-vaille”.

Sen. D. Nakhid:—“vaille-que-vaille” with this Government. Come, hustle this, tell you, “All good, this like anything else.” Anything else, where? Anything else, where? It is not like anything else. This is as oppressive, as far as I am concerned, to any other legislation they have brought because it does not benefit anything to the country.

3.50 p.m.

So, Mr. President, I do not know at what point in time, enough is enough for them, with this Government. At what point in time do we say enough is enough? Yesterday, as far as I am concerned, I had a sleepless night. I would call it the “embarrassment”. I felt I could not defend an independent office yesterday, Sir. I felt we failed as a country.

Mr. President: Sen. Nakhid, today is today. So, once again, the Bill that is in front of us, refer to the Bill in making your contribution.

Sen. D. Nakhid: Thank you, Mr. President. Well, in wrapping-up, I just mentioned how I felt. Really, really, I felt. Anyway. And I feel is the same. You see for them on that side they will see nothing wrong with this. You know it is like Newton, you know, who could see something falling and recognize what is the meaning of that. It is like Socrates or regionists who could recognize how important democracy could be. It is like Lara who could turn a well-pitched ball into a volley and stroke it for four. It is like Roy Fredericks, my favorite, whose first bowl at the innings against Australia, in Australia and hit it out the park for six.

It requires a certain fortitude, a certain courage, a level of creativity to create something from a half chance, from an opportunity. They do not have that. So they will come and put this and say agree to that, 48 clauses. Instead of seeing in a couple of those clauses, how they could have truly aided and abetted the development, of not only cricket in Trinidad and Tobago, for the country.

How they could have used—like Qatar. People refer to Qatar, I know Qatar intimately. Qatar's stated objective 25 years ago was to use what we call "soft power" as a way to promote themselves. And this is soft power, this is what you call in diplomatic terms "soft power". Putting on events but you cannot go to Qatar and there is no event without a trail of, what? Development towards that event.

So they never got the part right that benefits the country. They get the part right that benefits them, the event. But the developments that will help the country, they do not get that right, because they do not have it in them. It is not in their DNA, to develop the country, Mr. President, and that is my problem with this Bill. And I close with, governance of a country is directly like governance of a business. It is all about how you negotiate to get all that benefit. So, you have \$1 million. How can you get \$1 million to benefit the country? But what can I say, if they cannot account for \$1 billion, I do not expect them to account for \$1 million, and I thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

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

Hon. Senators: [*Desk thumping*]

Sen. Dr. Maria Dillon-Remy: Mr. President, I would just like to say too, that I was very unhappy that we had a 48-clause Bill to look at overnight. I was very tired this morning and I was trying to read the Bill while I was kind of falling asleep. I heard the Attorney General and I understand why we are here, but I just want to say that I would hope that by the next World Cup, whenever it happens, we would be in a better situation as Trinidad and Tobago going forward, and not just Trinidad and Tobago but also the Caribbean.

I say that because I know the Minister of Tourism, Culture and the Arts, has already said that in 2006, there was a Bill that came to this House and I looked at the *Hansard*, and please permit me, Mr. President, to just quote a very well-known Senator, who at that—in 2006. So I am quoting from the *Hansard* of the 31st of October, 2006. Sen. Dr. Eastlyn McKenzie, some of you all will know her well, and I quote. She said: “Thank you very much, Madam President. Madam President, I too would like to—I do not want to say pelt two cuffs at the hon. Minister of Sport ...”

I am quoting the *Hansard*, right.

“...Youth Affairs but to let him know that personally I am not satisfied with his late submission of this Bill for debate ...”

I go on.

“I cannot understand it. I think he must have been mixed up somewhere with the date because, for someone who has actually played cricket—I actually asked him whether he even played with coconut bat and lime and he said yes. I really cannot ascribe it to a

sort of insensitivity. I think something must have gone wrong and he must have gotten the dates mixed up. I also noted in the newspapers on Friday that some countries have passed legislation and there are about four of us that have not yet passed the legislation. In fact, Guyana is doing theirs at this moment, today, and others are trying to meet the deadline.”

And I end quote.

So, we are in a similar situation as we were in 2006. The thing about this legislation in 2006, it came in the end of October 2006, and the World Cup was about four months later, in April 2007. They were actually further away from the World Cup than we are today. We said only 32 days to the World Cup.

So, I would hope that we, and I am saying we now, as a nation but also we as CARICOM, would have learnt and even as people are talking about tourism and the potential for cricket, and using cricket in terms of business and stuff like that. I am just hoping that we would have learnt and we would have set now—there is a ground floor that has been set for the future, in terms of cricket and this type of event for the Caribbean.

When I read the Bill, I said “but what happen, dey selling out Trinidad and Tobago”? But again, I understand that this is what happens with events like this. Mr. President, I would just like to make a couple comments. I would like us to look at clause 2—where the definition for the various areas are. Clause 2(g) it says, when they were talking about dangerous weapons. Clause 2(g) and dangerous weapons mean, sorry—the definition of ‘dangerous weapon’ means any—:

- a) explosive;
- b) incendiary device;
- c) firearm;
- d) gas;
- e) weapon;
- f) glass of any description;
- g) instrument;”

Attorney General, what does that mean? An instrument as a dangerous weapon, our steelband? The musical bugles—wind instruments that they are bringing into to make the atmosphere of our cricket in the West Indies. As we know, the IPL, we have a reputation for having a very, very active environment in the Caribbean, but a dangerous weapon being an instrument I would like that explained, please, and if possible just remove it from that definition. I am not sure what instrument is dangerous, especially in the Caribbean, where you are talking about I would love to see my steelbands, and drums, and stuff like that there as musical instruments.

4.00 p.m.

Mr. President, I would also like to look at clause 19, and I am saying this because, like others have said, the Bill seems to give preference to the persons who are conducting the World Cup, Cricket World Cup and ICC, and I am not too sure what happens, if anything, with the people from Trinidad and Tobago. I am saying that because in clause 19 where they are—let me look at it again, clause 19(2), it says:

“A photograph or any other form of image referred to in subsection (1)—

- (a) may only be used for the purpose of identification; and
- (b) shall be destroyed by ICC or CWI within seven days of the completion or termination of CWC 2024 unless the photograph or image is required to be used as evidence in any criminal proceedings.”

I am just asking, if that does not happen then what? If they have an image of me that is not used in criminal proceedings, what happens? I am not sure whether that was reflected down later on in the remedies, I am not too sure. So that is a question I have.

Then clause 24, clause 24 talks about:

“No person shall, other than for personal use, broadcast, narrowcast, telecast”, et cetera.

I am asking because it says, “other than for personal use”. But I am just asking a question, would our posting on social media, if we are in the Cricket World Cup, is that not covered by this? In other words, when I go to the Brian Lara stadium, paid for by Sen. Roberts, ticket paid for by Sen. Roberts, will I be able to post my images on social media? In other words, “other than for personal use”, is my “other than for personal use” covered with that? Because otherwise there are very stringent penalties here.

And, Mr. President, clause 29(3), where it talks about the images, 29(3):

“Indicia and images so closely resembling CWC 2024 indicia or CWC 2024 images as are likely to be mistaken, by a reasonable person, shall be regarded as CWC 2024 indicia or CWC 2024 Images”.

I am just asking who is making that judgement in terms of whether

these images are—in other words, something I may have, may resemble CWC, where that judgement will be made, and again, what will be my recourse if I am not in agreement that it is something that I would have done deliberately to—and I had my image before, and that cannot—that I have put something there that resembles it and I can be charged? So who makes that judgement, is my question.

Finally, I would also like to put on record that I am also concerned about the marketing or lack thereof of this event as it is happening in Trinidad and Tobago. I too am very pleased when I see the Caribbean advertised as you are looking at IPL Cricket. I am concerned that I do not see Trinidad and Tobago, and particularly not seeing Tobago. So I would hope that Sen. Mitchell would be linking closely with Tourism Tobago or TTA and there would be an opportunity for the marketing of our tourism resources here in Trinidad and Tobago, particularly Tobago. As I said, as we are diversifying the economy, and that would be—even though it may be late, that some effort would be made, or probably you have it in plans already.

Because I remember when we had a Foreign Affairs Joint Select Committee, and we did have the Permanent Secretary for Tourism, Foreign Affairs and Sport, no, Tourism and Foreign Affairs were there and we did talk about the World Cup and what was happening with the planning for the World Cup in terms of all these Ministries coming together to do something that would be meaningful for Trinidad and Tobago, and I am hoping that this is a reality for us. So with those few words, Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Leader of Government Business.

Hon. Senators: [*Desk thumping*]

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Thank you, Mr. President, for recognizing me, and I will take this opportunity to make some comments and provide supporting contribution to the Government's presentation and debate on this very important Bill. Mr. President, I paid close attention to the contributions that preceded me, particularly I would say to the contribution of Sen. Dr. Dillon-Remy, who has, not for the first time, sought to be very constructive, very direct and gave a range of suggestions, not many with respect to the clauses of the Bill or specific amendments, but content that can help guide the contemplation of the Government and the relevant line Ministries, both for this upcoming event and for the future. So I want to commend to this Chamber that type of content-rich contribution—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne:—and to state, as I have done before, that the Government listens closely, the various Ministers have been taking notes, myself as Minister of Foreign and CARICOM Affairs. And I will go into some details, but recognize that this hosting is a multi-sectoral responsibility and a whole, beyond a whole-of-Government, whole-of-country responsibility, and we do not repel constructive criticism, we embrace it. This is a government that acknowledges when there is room for improvement and specific recommendations that we can take on board to do better for Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: Not every critic is an enemy, and not every suggestion is something negative. I see great positives in the contribution made by the Independent Senator, and others on that Bench have distinguished themselves with really constructive recommendations.

Unfortunately I am not able to extend the same salutations to the Members of the Lower Bench on the opposite side, because, Mr. President, if there was one matter that really could have brought maybe less of this toxic negativity and this mentality, that we are worst at everything in Trinidad and Tobago, we cannot do anything, there is no benefiting us bringing people to our country, and a real paradoxical twisting and turning just maybe to go through the Motions of having to say something, and maybe being unable to rise and to clearly identify with something that is an obvious positive for the people of Trinidad and Tobago.

So, Mr. President, let me state from the onset that this country, my country, our country, has distinguished itself, we have distinguished ourselves as being excellent hosts and conveners of regional and international events.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: This country, our country, has distinguished itself, and there are many examples, Mr. President, that should encourage us and give us optimism, give us patriotism and a sense of confidence, and these go beyond even the sporting arena. Even with respect to fora, with respect to law and family law, we have Senators, I am not going to call out any in particular, who have distinguished themselves in leading and coordinating the convening of regional and international events in this

country with great distinction.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: We have done that safely, we have done that in way that the country, it redounds to the benefit of the economy and to some element of marketing and awareness of Trinidad and Tobago. I have yet to hear of a single outstanding negative incident around the hosting of those events. We have brought CARICOM here time and time again and distinguished ourselves in such regard, the latest being in 2023 when this country did quite well. We have hosted major footballing events regionally and internationally. Well, there were one or two blips, but I can say without fear of contradiction none of those occurred under the People's National Movement administration.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: With respect to cricket, I would not regale this Senate with the list, but we have hosted major cricketing matches, events and tournaments in this country, up to World Cup level, and have done so successfully.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: So where is all of this negativity, this toxic negativity, the sky is falling, there is no rocket science involved here, Mr. President? I listened carefully to the Opposition Members who spoke, and, well, Sen. Nakhid I would say maybe put a brave face on rising to say nothing at all, but he consumed some minutes, and fair enough.

Hon. Senators: [*Laughter*]

Sen. The Hon. Dr. A. Browne: Sen. Roberts was the opening batsman on

the other side, certainly he was swinging, but I am not sure if he put any runs on the board, Mr. President, just this sense of negativity. So we have done well in hosting regional and international events and we have to give ourselves some credit. And there is no reason—I have heard no contribution made here today that would suggest that this Cricket World Cup will attract anything other than a positive conclusion and contribution to Trinidad and Tobago.

Mr. President, you know what is the most popular sport on this planet that we share? It is football. It is not cricket, but the second most popular sport on this planet is the sport of cricket. So the opportunity for us to participate in the largest tournament and event in this the second most popular sport on the planet is something that should be precious to us, that we should embrace. And after all those, the negativity of the Opposition, I wonder if Trinidad and Tobago had not succeeded in hosting key elements—and I will get into what we are hosting, because some of them were trying to—some Senators from the Lower Bench were trying to minimize what we are offering here, and the matches. If we did not succeed in hosting elements of the T20 World Cup and matches were being hosted in CARICOM, and Trinidad and Tobago were not part of it, we found some repelling factor of sovereignty or we got into an argument with the ICC and we were not accepting this.

I heard talk about alcohol and all sorts of contrived argument. If that were the case, Mr. President, could you imagine the vitriol that would have come from the United National Congress. “We have been left out again. There we go. PNM is left out of CARICOM and regional events, so many

opportunities we are missing because we are not hosting". We have succeeded. We are hosting. We are part of this event, and sadly they have come to sing out of the other side of their mouth. It is very, very unfortunate, but I am a patriot of Trinidad and Tobago and every Member on this Bench can stand here, not all will stand today, but we stand together in our confidence that this Bill, and the hosting of this T20 World Cup will be an outstanding success and a point of pride.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: So, Mr. President, I heard efforts to minimize the matches that would be played in this country, now why would a Senator seek to do that?

4.15 p.m.

What is the intent behind—and I heard one Senator early in the debate go so far as, to my ear, almost denigrate smaller countries, newer countries to cricket, to suggest that they are negligible, there is no value and there was mention of Papua New Guinea in a derogatory manner. And that mentality could have been extended to us, little Trinidad and Tobago, at some point in our history. Very, very unfortunate mentality coming from the UNC Bench.

And in that hodgepodge of negativity and minimizing of games, I heard India being brought—but India is a cricketing giant and a giant on the global scale. I heard India and Uganda somehow being mixed into their pot, their toxic pot as if those three nations are examples of why our investment in this event is unworthy. Mr. President, sometimes I am very disappointed with what I hear coming from the United National Congress and I am here to say that we should welcome and we must welcome the expansion of the

sport of cricket. We should welcome and embrace the fact that more and more nations are part of the World Cup tournament and more and more nations are embracing cricket. So that when your son or your son or my grandson or whoever becomes a players and becomes established as a cricketer the market for their services is much bigger than it would have been yesterday. So this is something positive and we need to be very cautious on the *Hansard* record when an attempt is made to denigrate other nationalities even the smaller ones because there, but for the grace of God would be us, and maybe was us at some point in our history.

So, Mr. President, Sen. Roberts made heavy weather of the fact that we are ceding some kind of sovereignty and control, we are giving up something, he never became specific. He never identified any measure that he would say, listen, Government of Trinidad and Tobago, that is a line too far, retract that, I am circulating an amendment. I did not hear those words at all. It was just throw up some negative chatter and hope it would persuade someone. Well, I do not know who he would have been persuading.

But the fact that to host a major international conference or a major international tournament, the fact that you have to negotiate as has been done here, as has been done in large part as a regional block with the ICC, et cetera, is nothing new. And I would demonstrate this Bill has great similarity—and the AG did so as well—with the Bill of 2007, but there are some differences and I will demonstrate some of those differences as well, as we get into the meat of this exchange.

So this is nothing new and this was done when we hosted football and

cricket and World Cup events in this country and therefore, no new ground is being crossed here, none whatsoever with respect to giving up anything or ceding anything to the ICC, Mr. President. And when the United National Congress was in office they also had almost identical arrangements because that is inevitable. Whether it is with FIFA or with the ICC, that is just part of the experience of T&T, of Guyana, of Pakistan when they attempted to host, of Australia, of England, that is part of the exchange.

Sen. Roberts also made the issue of how many people will be looking when Papua New Guinea—he gave an example of a game, and again was—of a match, trying to denigrate that not many people will be paying attention in this region to a match between, he gave the example. I really do not want to drag it back because it was very negative. But, Mr. President, I invite Senators to look a little longer term than that. Not just to tomorrow but down the road to the next generation. And when we can encourage and support and host new entrants into cricket at the international level, what we are doing is ensuring a bigger audience further down the road. And it will be measured in thousands in some cases, it would be measured in millions later on. And just because someone in Diego Martin or Charlotteville may not necessarily be a fan of Uganda or Papua New Guinea. I can tell you that for the people of Papua New Guinea and Uganda, the fact that they have players on the international stage in Trinidad and Tobago playing, it is a big thing for them and they will all be looking and they will all be learning about Trinidad and Tobago as a result.

I remember when I went to Sri Lanka, Sen. Mark might identify with that particular experience, he was a worthy travel participant, went to Sri

Lanka and at the hotel where the T&T delegation was staying there was an exchange, and I think they were in office at the time, we were in Opposition, there was an exchange. And we were trying to remind or reinforce what Trinidad and Tobago is and where we are. And the folks we were talking to, it was just drawing a blank, “Trinidad and Tobago”, and they were—and then one, a Sri Lankan said, “wait a minute, that is the country of Brian Charles Lara”. He used all three names, “Brian Charles Lara” and everyone said, “whoooo”. It was a big deal. That is the kind of acclaim, that is the kind of recognition that we get by participating.

So this is not something small. I heard mention of the Cricket Symposium, Mr. President, and I have a lot I could say about that having been a small cog in the wheel of the hosting of that event. But I want to say that was a very important and significant contribution again of Trinidad and Tobago to the revitalization of West Indies cricket.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: And what we saw here and we were able to bring together key stakeholders, including some of the greats that we all admire to contribute to the contemplation of how we can develop West Indies cricket to a higher standard. And you know what one of the factors that emerged was? A sense of inspiration for our young people. And again it is not just looking at it on television but the ability to go into the Brian Lara stadium and see some of the greats at play. And the West Indies, I did not hear anyone mention it on the Lower Bench, the West Indies T20 senior team will be playing right here in Trinidad and Tobago in this World Cup.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: Not against Papua New Guinea, at least not in the first instance, against New Zealand. What bigger match can you have and can you host? That is a big deal, but it was not convenient to the exchange and presentation and therefore was not examined as an example by those on the other side.

So, Mr. President, I will move on from that particular point. And then there was, unusual, a UNC Senator attempting to make a case for an event in Port of Spain to the neglect and detriment of potential in a more rural area of Trinidad. And I thought that was a courageous adventure by Sen. Roberts. He talked about Ariapita Avenue and the need to benefit businesses on Ariapita Avenue. Let me tell him, businesses on Ariapita Avenue are doing very well, thank you, right at this stage. And if I were a member of the private sector, a provider of transportation in south Trinidad, a concessionaire or someone, a food vendor, a taxi driver, a hotelier in south Trinidad or in the Tarouba district, I would be very disappointed to hear that line of approach and advocacy which seemed to suggest to my ear that there are no businesses in that part of the country that would benefit from the hosting of games at the Brian Lara Stadium.

It was very bizarre, Mr. President, and it went down a road that sometimes the UNC would accuse the Government of, which is seeking to host things in Port of Spain and not give due light and recognition to other parts of the country. People in Tarouba and around Tarouba are people too. So, I just wanted to point out that paradox in the contributions of the United National Congress. Are there no service providers in south?

I beg to differ. And it is not just with respect to locals, but many

international people who will be coming and the teams will be coming to Trinidad and Tobago, the officials, the thousands will be here in addition to fans. I know many fans, even from Tobago, are anxious and I want to take exception to the UNC Senator who spoke earlier and said, he did not know the World Cup Cricket was coming to T&T. That should have maybe almost disqualified him from contributing to this debate, because I want to tell him that there are thousands, tens of thousands of passionate cricket fans who are keenly following every development and are anxious to be a part of this hosting of the World Cup in Trinidad and Tobago.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne: Anxious. They are on the ICC Facebook page and website right now, as each announcement is made because there is great excitement. That is what happens when you have people who are genuine about a sport as opposed to just trying to make up a contribution as it were. So, he did not know, well, he is one of the few. And certainly there is no one passionate about cricket who did not know and does not know that we will be proud hosts of this particular tournament, Mr. President. Oh, was it Sen. Roberts, complimentary tickets for Ministers?

Hon. Senators: [*Laughter*]

Sen. The Hon. Dr. A. Browne: Mr. President, I heard a Senator stand here in this debate and lament that the Government is not negotiating selfishly for complimentary tickets for Members of the Cabinet. This is something any Senator should be praising the Government for, for its selflessness—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. Dr. A. Browne:—in seeking the interest of the people of

Trinidad and Tobago and not any narrow interest of me or the Attorney General or the Minister, the distinguished Minister of Digital Transformation getting a complimentary ticket to go to a game or a Senator from Tobago or anyone getting a complimentary ticket.

Mr. President, there is a level playing field when it comes to these matters and if I want to go to the Brain Lara cricket stadium to look at the West Indies vs New Zealand, I will take my hard-earned money and pay for a ticket and attend. But you know what? I was chided. That unselfish patriotic approach was rebuked by a Member of the United National Congress on the *Hansard* record. Complained about it.

Hon. Senator: [*Interruption*]

Sen. The Hon. Dr. A. Browne: Yes, Mr. President, I am going to move on because I have a few other things to say and sometimes I run out of time and surprise myself. Sometimes I do.

So, Mr. President, our approach in this has been with the national interest, with the regional interest and certainly not in any narrow personal intention to negotiate for complimentary tickets for Ministers. As I said, Sen. Nakhid did not disturb the scorers and there was not much to generate a response. He gave no amendments as did his predecessor in contributing, no recommendations. He did not acknowledge the fact that on June 12th we will be hosting one of the biggest games of the tournament and then on June 26th we will be hosting the semi-finals. And if any Senator would want to say that these are not events of great acclaim that would not attract tremendous attention around the cricketing world, including now in the United State of America, they have been making a grave mistake because these are major

events that attract major audiences of millions of persons. Sen. Nakhid again trying his best said and I quote:

Lots of clauses and they all seem innocuous. Lots of clauses and they all seem innocuous.

4.30 p.m.

Well, good. Innocuous clauses, it does not sound like a bad thing to me at all, Mr. President. And what is called upon us, if we wish to contradict, or rebut, or refute a contribution, a higher standard is expected of us. So it is not just to say, "They seem innocuous," and leave that as some sort of inference of something missing, but to be as little more specific and say, "They seem innocuous but this particular clause is not," and give some kind of foundation and recommendation. That never happened. So I take it as a compliment to the Bill actually, Sen. Nakhid saying that. We are called upon to do much better.

And then I think the concluding point that Senator tried to bring is, not enough policy. It is an "events mentality". I think I am quoting accurately, an evidence mentality and not a policy mentality. Well, I am not going to get into the mentality of the United National Congress because that is on full display and being prosecuted, not by the PNM, but by members of the UNC, including their parliamentarians. I will go no further on that matter, Mr. President, but you get some insight into their mentality. But let us talk about a policy mentality.

Mr. President, the hosting of this event, and all of the events being led and guided by our distinguished Ministers with responsibility for Sport and Community Development and for Tourism, Culture and the Arts, are linked

to *Vision 2030* and rooted in the national policy of Trinidad and Tobago; linked to our sports, tourism policy; linked to our ethos of cultural diplomacy; linked to our intention to stimulate our young entrepreneurs and small entrepreneurs across Trinidad and Tobago; linked to the revitalization of the services industry, which is ongoing and robust in Trinidad and Tobago at this time. So it is very much rooted in national policy and development.

I could tell you, Mr. President, without fear of contradiction, in 2024, this year of our Lord, the Community Sports Unit of SporTT has been elaborating and implementing a very important programme called "I Choose SporTT". This is an umbrella programme, which has cricket coaches going into schools right across Trinidad and Tobago, seeking to develop the next generation of talent. That is happening as we speak. I can tell you, without fear of contradiction, Mr. President, that there is an expansion taking place of physical education teaching, and teaching of sporting skills in our nation's schools. All of that will be boosted by the national attention around the hosting of the Cricket World Cup.

I can tell you without fear of contradiction, as we speak, of convening of training sessions and development courses for even at the level of grounds curators, the people who take care of a cricket pitch. I cannot wake up tomorrow morning and care for a cricket pitch, Mr. President. That is a specialized field that has not gotten sufficient attention in the past. In the preparation for this major event, that type of development is taking place in this country right now, specialized courses for grounds curators, not just those treating with the Brian Lara pitch, but also across the country,

including some of the grounds mentioned by the “negativers” on the other side, because there are preparatory games taking place outside of the Brian Lara stadium and at venues across the country. Mr. President, there is a range of other legacy items that are being elaborated and finalized.

Sen. Dr. Dillon-Remy recommended in clear English that the next time around, we should be more efficient in preparation, presentation of legislative matters with respect to the hosting of a World Cup, and I want to agree with the Senator and to indicate to her that because the People's National Movement will remain in office, and be in office at such time—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. A. Browne:—I am in position to assure her that that suggestion will be taken on board and will be implemented. Mr. President, we listen—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. A. Browne:—and we will take our guidance from that constructive recommendation. And I just want to say to the Senate, that this Bill, you may want to look at it as very simple, but really, it is the result of significant collaboration, and that is one of the benefits. There was a call for what are the benefits. In a few moments, I am going to list the benefits of this hosting for the Senate and the national community.

One of the benefits, Mr. President, and the Attorney General can attest to that, is the degree of regional coming together, the building of regional solidarity, the type of collaboration and exchange and joint rumination that has occurred in the preparation for CARICOM to host this World Cup plus, and for involving our Attorneys General, working together across the region,

to ensure that we can successfully host the tournament. That goes beyond our Attorneys General. It applies to CARICOM Heads of Government, it applies to Ministers of national security, it applies to CARICOM IMPACS, it applies to Ministers of foreign affairs at the level of CARICOM's Council for Foreign and Community Relations. At so many levels, we have had, and continue to have intensive regional collaboration, and that is one of the broad benefits. So the CARICOM solidarity, that many have called for over and over in different ways, is enhanced when we work together on events like this, and we have been working together with our neighbours to ensure that we can do our part, Mr. President.

So I promised a list of the benefits and I will give some of them. Mr. President, increased revenue for hotels and other accommodation venues. That is not an academic or esoteric benefit. That is definitive because every single player that comes to this country has to be accommodated at hotel facilities. So I can tell you that the hospitality industry will benefit, in a major way, from our investment and hosting of this particular World Cup.

Mr. President, obviously, everyone attending the games, all the visitors, the locals, the officials and the players have to eat, and so the culinary sector, the food and beverage industry will benefit massively during the period of our hosting.

Transportation, drivers, vehicle rentals—I wonder if you can find a vehicle to rent during the month of June and late May in this country? Because there is heavy subscription to these services. And that is not the Government's pocket, that is the people of Trinidad and Tobago, that is our businessmen accruing benefit from the hard work that has taken place

behind the scenes, and that we will assist in bringing to the fore with the passage of this particular legislation.

What about the benefit, as I mentioned, in inspiring the young persons? We speak of Joel Garner, Sir Clive Lloyd and others who inspired us—maybe the older generation—but we have young people and we have children who will be able to see first-hand the stars of the future, both of the West Indies and other nationalities, on the cricket pitch, and that has value for the future as well.

The fostering of regional identity and regional integration; the upgrade of local facilities. Upgrades are being carried out to the Brian Lara stadium as we speak. That is not something to be alarmed about. That is inevitable and part of the hosting of any sporting event anywhere in the world, and there are upgrades also taking place at other facilities that will be involved in the preliminary matches.

Mr. President: Minister, you have five more minutes.

Sen. The Hon. A. Browne: Thank you, Mr. President. So that is another benefit and we have to acknowledge these things. They are not imaginary or made up. I have a long list here, Mr. President, so I need to be a little bit selective. So five minutes, if well used, it may be sufficient, Mr. President.

So the thousands of players, officials, media personnel and fans, when the media comes to cover these games and events, what do you think they are doing? They are not just sitting in the stadium and then putting their pens away, or their typewriters away, or their tablets away. They are part of the Trinidad and Tobago experience as well. So there is benefit to that. Let us not pretend that there is not. Employment opportunities, direct/indirect;

hospitality; transportation; maintenance; event management, all of those other components.

What about promoting sport tourism?—has been referenced by the Minister with responsibility for Sport and Community Development, and our own Minister of Tourism, Culture and the Arts time and time again. The hosting of this World Cup contributes to that, the development of sport tourism in Trinidad and Tobago. And as I said before, if we were not part of this, if the region was hosting, and Trinidad and Tobago was not part of it, those opposite will be screaming the exact opposite of the exterior that they brought today, Mr. President. Cricket World Cup has a massive following, billions. We are a part of that.

Mr. President, we also have an opportunity to uphold—an obligation to uphold our international obligations as a host for a major ICC event. We have an obligation to comply with the guidelines and requirements of the Cricket West Indies, CWI, as well as the ICC. This was done before and as I said, this applied when we hosted—we worked with FIFA to host different levels of football here in this country. That is just part of the arrangement, Mr. President. So even with respect to our collaboration on security arrangement, we have some interesting countries participating in the event that may have particular security attachments. Again, the collaboration between our local services and those in the region, such as CARICOM IMPACS, will have ongoing benefits that Trinidad and Tobago will value moving forward.

So this, Mr. President, this a Bill that is relatively straightforward, as has been presented by the Attorney General. I have done my best to shine

some light on the benefits that would accrue to this country, and to respond to some of the general negativity as offered inevitably by the United National Congress. I have seen no amendments being circulated by the Lower Bench and therefore, I could safely assume that what they offer today is just more general toxicity and nothing constructive that will help us to really ensure that the Bill that we merge with and support here is as good as it can be, Mr. President. So there are several other issues that I would like to cover, but I would want to end the way I began.

We have an excellent record of hosting regional and international events in this country. Everything I have heard today—

Hon. Senators: [*Desk thumping*]

Sen. The Hon. A. Browne:—and everything that I have been a part of in the build-up to this major and exciting event, gives me the assurance that this hosting will be no different, and Trinidad and Tobago will emerge brighter, clearer and stronger on the regional and global map, and that by being a part of this international audience and part of the hosting of this T20 Cricket World Cup, the people of Trinidad and Tobago will be further inspired to recognize that sport is important to our future. And part of the solution to some of the challenges that we confront as a country lie in us investing in events, investing in our policy, as has been elaborated in this debate, and investing in the future. That is what we are doing. Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

4.45 p.m.

Mr. President: Sen. Mark.

Sen. Wade Mark: Thank you Mr. President. The Bill before us is about the staging of the ICC Men's T20 Cricket World Cup, 2024 and for related matters. Now let me say from the outset, that all of us in this Chamber and outside of this Chamber—many of us continue to be ardent supporters, fans, admirers of West Indies cricket. We are lovers of West Indies cricket. We support West Indies cricket and it is always an honour and a unique pleasure and opportunity when the world cricketing body called the ICC is able to host a major international cricket tournament here of a world class nature. So here it is in 2006/2007, we had a very important World Cup event and almost 18 years later or thereabout, we are getting the opportunity to host another major world cup cricket event that will not only take into consideration the Caribbean region, but it extends to North America. So that is the kind of global and regional space that we are in.

So no one can argue against this major event, but we all have a duty and a responsibility to ensure, Mr. President, that whatever comes before us in this honourable Senate, we are able to properly scrutinize and ensure that it is in the best interest of the people, not only of Trinidad and Tobago, but of the Caribbean. But our responsibility, as we seek to promote as we call it a unique, single, domestic space that will incorporate a number of Caribbean countries that are attached to the Schedule to this Bill, which I do not have to burden you with, in terms of the countries, or the territories, or the islands that are going to take part in this major event, which begins Mr. President—as you know from the 1st of June to the 30th June. That is the kind of time and space we are talking about. So Mr. President, we want to ensure that whatever goes into this final product that is before us today, in the final

analysis can stand public scrutiny. So I disagree with the distinguished Minister of Foreign and CARICOM Affairs when he gives the impression that it is negative, in terms of responses. Mr. President we have a role to perform. The Government has a role to perform and we do our duty to the best of our ability in the interest of our nation. So Mr. President, I would like to indicate very early that when we look at what is before us today, we would like to add to what my colleagues had already suggested—we would like to add to what they have said.

Mr. President, let me go to the Bill because like the Minister of Foreign and CARICOM Affairs, we have some amendments. You suggested that we submit. We are doing this because at the end of the day we want that event, Mr. President—that will take place between June the 1st and the 30th of June—to be a major success not only for the region, but we want the people of the region, including the people of Trinidad and Tobago, to benefit from this exercise economically and financially. We want to enjoy the opportunity that is afforded us for the second time in less than 20 years the region is hosting a world—a major world cricketing event, ICC Men's 20 Cricket in the Caribbean and in North America.

The last time was 2007, so as I said it is an honour for us to be part of it. We are not against that, but Mr. President, let me say from the very outset—and I go to clause 3 of the Bill. If you can look at clause 3 of the Bill, it is really an attempt to engage in education and sensitization, right. And my colleague, Sen. David Nakhid, was making the point and we, in a very unfortunate way, took it out of context. But there are many citizens in our country who are not aware of the upcoming event that is to take place

between the 1st of June and the 30th of June. That is a fact. There has been no massive education and sensitization campaign to alert the population of this event that is taking place within our public space. That is a fact and this is why Mr. President, if you go to clause 3 we are seeing where:

“the Minister, after consultation with the Committee”

—which is the LOC, the Local Organizing Committee—

“may by public notice publish in the *Gazette* and at least one newspapers in daily circulation in Trinidad and Tobago”

—the following:

“(a) declare any area within the control”

That is public advertisement, that is sensitisation, that is education.

4.55 p.m.

Mr. President, I do not have to go through all the subsections of clause 3, you have it before you and I am not going to burden this Senate with going through all of these. What I can say, Mr. President, is this: Tobago has something called the *Tobago News*; that is a publication.

Hon. Senator: [*Inaudible*]

Sen. W. Mark: Not anymore? “It gone? So yuh ha no newspapers in Tobago?” I thought, Mr. President, there was something called *Tobago News* and I was going to make a case for Tobago but “it gone through”.

Hon. Senators: [*Interruption*]

Sen. W. Mark: No, no, no, well I am sorry. I am sorry, Mr. President, because I was going to make a case for *Tobago News* to ensure that Tobago is involved in this matter and I was going to propose, Mr. President, that it be included in this exercise, but now that I understand *Tobago News* no

longer exists, I am very sorry.

Mr. President, however, I would like to make the case to the hon. Minister of Foreign and CARICOM Affairs, we have three daily newspapers in our country and I would like to propose that instead of choosing one, I would like to suggest that we go with two daily newspapers whenever you are seeking to communicate with the public. You have *Newsday*, you have the *Guardian* and you have the *Express*, you all choose. You choose, you choose. So that is something, Mr. President, that I think is very important that we pay some attention to.

Now, Mr. President, my colleague from Tobago, she is not here at this time, she was asking about an instrument under the definition of “dangerous weapon” in the definition section and she wants the Attorney General to clear the air as to whether it would involve the steelpan. I do not think so. But I want to tell my distinguished senatorial colleague, if she would like to understand the restricted items, all she has to do is to go to Part II of the legislation under the Second Schedule and you will see under that Part:

“The following items shall be restricted at all CWC 2024 venues...”
Well I do not know, we will have to clarify. We will have to clarify. You cannot go with a large banner to say “we supporting the West Indies”, that is prohibited and mind you, Mr. President, if you go with that, you go with that—

Hon. Senator: [*Interruption*]

Sen. W. Mark: No, no, no, do not disturb me, Laurel. No, you will have a chance to speak. That is rudeness, being disrespectful. The President is in charge.

Mr. President: All right, Sen. Mark, just have a seat. Just be careful.

Sen. W. Mark: So, Mr. President, let me turn to you because I am getting echoes when I turn so, so I better turn to you. If you go under item 2 under “Restricted Items”, you will see:

“Musical instruments that cannot fit under the venue’s seat...”

[*Laughter*] Now, Mr. President, let us be real. We know that we have a duty and let us be real, we have a duty to protect the life and the limb of every player from every country visiting Trinidad and Tobago for this event so safety and security must be paramount. We are not arguing that. We know “it have something called terrorism” and we want to ensure that that disease or cancer does not find its way into our body politic in TT to harm or to injure anyone, so we understand that. So we understand why they might be looking to ensure that things are under tight security.

But, Mr. President, help me here. We are a creative people. I think Sen. Dr. Dillon-Remy was making the point and there is something called “cultural creativity”. You know we have developed our own style, we have developed our own way of expressing our joy and our support for our teams. And when we go to the oval when West Indies is playing whichever country, people go with instruments, musical instruments. Now are we saying that for purposes of that event that is hosted here as part of World Cricket Cup 2024, all forms of musical instrument to give support to our people that cannot be placed under your seat would not be permitted? No, I am saying that people come with drums.

Sen. Lyder: Conch shell.

Sen. W. Mark: They come with conch shells. Right. So what I am saying,

Mr. President, I am just trying to get—

Hon. Senators: *[Interruption]*

Sen. W. Mark: Listen, we are not arguing here, we are seeking clarity. That is all we are seeking. We are seeking clarity today. So if anyone on that side can clarify for us when the time comes and I take my seat, the President will recognize you and you will rise and clarify. That is all.

So, Mr. President, we are just asking whether our ordinary citizens who normally would go there with various instruments, whether they would be or would not be permitted in accordance with the Second Schedule Part II, that is all we are asking. Mr. President, “yuh cyah go with yuh cooler. You know people like cooler, yuh put yuh drinks. Sen. Laurel, yuh bring yuh drinks. Yuh bring yuh drinks, right, Mr. President and you enjoy it and yuh enjoy yourself.” Now why would our international colleagues, the ICC who are in charge of this event, would not want to respect our culture in Trinidad and Tobago? Why?

Hon. Senator: *[Interruption]*

Sen. W. Mark: Yeah. And could we not ask the Government to revisit that provision, Mr. President? Because I think the Minister is saying that the Government is prepared once we put amendments forward to consider and it is not too late to inform these people they did not get it right. They are stifling our creativity and spontaneity as a people and I am saying to the Government, Mr. President, here is an area that we can ask you to reconsider in the interest of the people of this country who will want to take part in the event at the various venues. Whether it is warm-up matches, whether it is the real matches, whether it is the semifinals as my colleagues said, Sen.

Browne, the hon. Minister. The semifinals I think are playing here, West Indies versus New Zealand, yes and by the way, by the way, Mr. President, I understand all tickets online for that game, that match have been sold out. That is what I understand, that is the information I have. Mr. President, so I am asking questions.

Now the other area, Mr. President, that I just want to elaborate on is clause 18. If you can go to clause 18, you will see the contents of what is written here. You will read it and again, we are asking the President—not the President, we are asking the Government, Attorney General, we are asking you as the mover of this Bill to go to clause 18 and see what could be done to ensure the small vendors, the small entrepreneurs get some space so that they can play, so that they can sell, so that they can earn an income as a result of this event that will be taking place in Trinidad and Tobago.

But you have to get, Mr. President, according to what I have before me, you cannot do this sale, you cannot:

“...hawk, sell, offer, display for sale any items...”—without the written authorization.

Now, Mr. President, somebody has to explain to us what is the process because when we go to clause 46, there are regulations that are going to be formulated by the Minister subject to negative resolution.

But Mr. President, a couple days to go. Today is the 30th of April, we have 31 days in May and then the event begins from the 1st of June. Where are the regulations? We have a sunset clause in this Bill. Draconian provisions are here that are going to infringe on the rights and freedoms of the people of Trinidad and Tobago. What we are saying and what we are

asking, Mr. President, is that if at the end of June 30th, 1st July, this Bill which becomes an Act will die a natural death because there is a sunset clause so it expires. Okay.

So within that period, within that time frame, all we are asking the Government, and if the Government was a little more efficient in carrying out their duties, my understanding and somebody could correct me if I am wrong, the ICC was a bit late in finalizing the venues. It was only done at the end of February, so we had March and we are now in April. The question here is that the Government has laid this Bill yesterday. We are debating it today.

5.10 p.m.

The same way the Government was able to lay this Bill, and they used Standing Order 62(1)(a) in order to get us to come here today, because we need four clear days, but they also have the right to pass a Motion curtailing those four days, that is why we are here, where we are here today.

So, why could the Government not, Mr. President, knowing this thing has a sunset clause, and it will only be there for a certain period of time, for two months, but for the cricketing period, 1st of June/30th of June, why could they not table alongside this piece of legislation, the regulations? The regulations, so that Sen. Dillon-Remy could have seen in the regulations when they talk about dangerous instrument or weapons, it includes or it does not include the steelpan. She would have known that. So, no regulations, draconian provisions, the rights are being restricted. We want to support the measure that is before us, but our hands are tied behind our backs.

They are asking us, Mr. President, to virtually sign a blank cheque.

And that is what my colleagues were advancing in their contributions earlier on. That is what my colleagues were advancing earlier on, Mr. President. So, it is important that we try to get what is before us right, and wherever we can make amendments to safeguard the rights of our citizens in Trinidad and Tobago, to ensure, Mr. President, they are not taken advantage of by anybody, I think that we have a duty as law makers to do so, and to ensure, Mr. President, that this is done.

So, the hon. Minister of Foreign and CARICOM Affairs indicated a lot of benefits, and he—I would not burden you because you heard what he said, and Members heard what he said. But we need to have like a—I think the science is so efficient today, and the technology has been so modernized, that you can make rough estimates, Mr. President, as to how many visitors, how many visitors, Mr. President, will be visiting Trinidad and Tobago during the period when we are hosting these games. And we must be able to have an estimated figure as to what is the possible revenues that we can gain as a result of this event that is taking place. Not only visitors, but the multiplier effect that we were told about by Minister of Foreign and CARICOM Affairs.

So, I thought that the Government would have been in a position to share with this Senate today, information of that particular nature. And I think again, I must comment on a point that was made by the hon. Minister of Foreign and CARICOM Affairs. Mr. President, in 2007—I have the Act in my possession—if you go to the schedule you will see the name, the Queen's Park Oval recorded. In the 2024 Bill, that has the main—they are there but only as the Minister has indicated, and as the Attorney General

emphasized, to have warm-up matches conducted.

I am just asking a question, Mr. President. It is not, “We do not want south and central Trinidad”, let me make it very clear, it is not that we do not want south and central Trinidad to enjoy the games, Mr. President, or the matches. No. The question I would like to clarify and ask the hon. Attorney General to help us when he is winding up: why did the Government in their negotiations with the ICC “left out, leave out, left out”, write off, the Queen’s Park Oval as a cricketing venue? So, you could have the Queen’s Park Oval as a cricketing venue, and you could have the Brain Lara stadium as a cricketing venue.

So, you have south enjoying it, and you have people from the north enjoying it too. And you have the vendors, Mr. President, and the entrepreneurs in south benefiting, and you have the vendors and the entrepreneurs in the north benefiting as well. Why did we not have this hybrid situation?

Sen. Lyder: They “doh” care about their constituency.

Sen. W. Mark: No, I think that we need to have an explanation because I do not know. I really do not know. I am not a member of the Queen’s Park Cricket Club or board or whatever, I have never been but I am just saying that as a young man growing up in the Carenage area, because I am from the western peninsula, we used to go to the Oval to take in cricket, and football. So, I want to know why, Mr. President, the Government in their negotiations with the ICC left out, wrote off, kicked out Queen’s Park Oval. Now, I have no friends there you know, and I hold no brief for the people who control Queen’s Park Oval, but as a citizen of this country, I believe in equality,

equity, justice and fairness.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: That is what I am talking about here.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: And I think that the Government has to give an explanation as to why Queen's Park Oval was left out. That is all I am saying, and that is what my colleague was saying too, the distinguished and hon. Anil Roberts, the next Minister of Sport—

Sen. Roberts: Yeah.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark:—when we take government. So, Mr. President, it is a simple thing I am trying to get clarified and I hope—

Sen. Mitchell: [*Interruption*]

Sen. W. Mark: No, no, no, the hon. leader who is the next Prime Minister already designated him to Minister of sport, not me, the hon. Prime Minister to come, Kamla Persad-Bissessar said that he will be our next sports Minister.

Hon. Senators: [*Crosstalk*]

Sen. W. Mark: Anyway, Mr. President, let me direct my thoughts at you.

Hon. Senators: [*Crosstalk*]

Sen. W. Mark: So, Mr. President, we would like the Government, Mr. President, to clear the air—now, we know, Mr. President, if you go into clause 8 of this measure, you know you normally need, Mr. President, a work permit to work in Trinidad and Tobago. If you are not a citizen of this country, you cannot work here without a permit. But because of this—

Sen. Mark (cont'd)

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

Sen. W. Mark: Yes, five more minutes, Mr. President? Yeah, Mr. President, because of this particular event that is about to unfold in Trinidad and Tobago, we are taking the decision to bypass work permits.

Sen. Mitchell: Nobody said that.

Sen. W. Mark: It is here, the comptroller, the—look it—let me read it for you:

MR. VICE-PRESIDENT IN THE CHAIR.

Sen. Mitchell: Read it, please.

Sen. W. Mark: You make a request within a period of seven days, right, to the Chief Immigration Officer and that Chief Immigration Officer shall issue something, whatever—

Hon. Senators: [*Laughter*]

Sen. W. Mark: They did not say.

Hon. Senators: [*Laughter*]

Sen. W. Mark: No, no, no, no they did not say what he is going to issue but they say he shall issue something and it shall remain valid and effective until the conclusion of the CWC. So—that is clause 8, so, maybe I misread it.

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

Sen. W. Mark: And it could be, [*Laughter*] it could be, Mr. President, the work permit. [*Laughter*] So—no, no, no, if I misread it, I misread. Some of us misspeak at times, not so? Yeah, yeah.

Sen. Lyder: “Dey tell yuh is we alone could make mistakes.”

Sen. W. Mark: So, so—

Sen. Lutchmedial-Ramdial: [*Inaudible*]—the regular process.

Mr. Vice-President: Just allow the good Senator to wrap up his contribution please, in silence.

Sen. W. Mark: So, Mr. Vice-President, I think I have made my point. We on this side, we do not know if to support, we do not know if to abstain, we do not know if to vote against. Now, we are hoping that when we get into the committee stage, Mr. Vice-President, some of the discussions that we are now having, we will be encouraging the Government to make some amendments as we get in to the committee stage. Now, we are hopeful that the Government will see the wisdom of our suggestions and recommendations, aimed at strengthening, aimed at tightening, and aimed at ensuring at the end of the day, we have legislation that could be agreed by all parties on all sides in the Senate, so that at the end of the process we can leave here justified in our deliberations and our perspectives.

So, Mr. Vice-President, I thought I was going to speak for a shorter period. I was thinking about, just about 15 minutes, but you know they say when you give a politician a mike, you have to switch it off otherwise he will talk forever, you know that. So, Mr. Vice-President, I think I have made my contribution, I have made my points, and I think that the Government has a duty now to clear the air on a few matters, and once that is done, and we get into the committee stage, we will suggest at the committee level, Mr. Vice-President, some of the areas that we would like the Government to consider. And we hope that good sense will prevail so that we will be able to at least address our minds to the measure that is before us collectively. I, thank you, Mr. Vice-President.

Hon. Senators: [*Desk thumping*]

Mr. Vice-President: Sen. Teemal.

Hon. Senators: [*Desk thumping*]

5.25 p.m.

Sen. Deeroop Teemal: Mr. Vice-President, I thank you for the opportunity to contribute to the Bill that is before us. Mr. Vice-President, I must admit, when I was trying to go through this Bill within the short period of time that was afforded to us, which is not often with me, in that, you know, certain emotions were rising within my being because it is the first time I am coming across legislation like this since I have been here. And I think just the raw emotion was that this sort of Bill, and the sort of privileges and powers that we have to confer on the organizers of this Bill, it was really, you know, at times a bit—well, you know, pushing the envelope, in my opinion. And, of course, suppressing those emotions and trying to deal with what is before us in a rational way, but it still brings to thought certain dominant thoughts within my mind, in that, how much sport and international sport and the sporting organizations giants, such as FIFA and ICC with their billion-dollar industry that it is, how much influence they really wield over countries that are seeking to host the events from under the auspices—and I use the term “auspices” in a kind way—of these international sporting organizations.

And I could not help but think that, you know, the colonizers of the old have changed and now we have sporting colonizers that, as a people, we have to contend with. I am not saying that we should not engage and seek to host events like these, but going through the clauses of this Bill, you wonder whether or not the shape of the colonizers have changed into, as I have said,

sporting colonizers.

Now, clause 25 of the Bill speaks about “ambush marketing”. And not intended to trivialize anybody or trivialize any issue that is before us in the Bill, but I think here we have two other sources of ambush. We have event ambush, because the entire region is being placed in a situation, literally, with the late and rushed need to get things in place for the hosting of the event—I am just using the term “event ambush”. And, of course, the different regions, in terms of preparedness, would find themselves in difficult situations in getting themselves ready, and one aspect, of course, is the legislative aspect. And I would want to use the term “legislative ambush” because, of course, not to trivialize the reasons put forward by our hon. Attorney General—I mean, we understand the constraints, but at the same time, being given just 24 hour or less to look at 48 clauses, even though there was precedence in 2006, most of the Senators here, we were not Senators at that time, and it still takes effort. So it is a question of legislative ambush to me. It is a fair term in the context of what we have to deliberate on here today.

So as I get into the Bill, the question is also: Who is scoring the sixes with this legislation? It seems as though it is the ICC. And we are limping along with scoring singles, and not just on the legislation but—I mean, I have been listening carefully to the comments from the debate, and whether or not the benefits that are being trotted out that we are to derive—I know there is an element of intangible benefits that we really cannot assign a cost to. Because when we talk about pride and young people looking up to their heroes and all of those things, those are intangibles that are exceedingly

valuable, but at the same time, who are the major beneficiaries of this entire thing, and based on the investment that we are making, whether or not the returns are justifiable.

The other point is that the hon. Attorney General did mention about sunset legislation a couple times, and the hon. Minister of Tourism, Culture and the Arts did use that term “sunset legislation” a couple of times as well, and I was thinking whether—maybe not deliberately but unconsciously, we are being told that this sunset legislation, it is going to expire by, I think, the end of June. So the consequences of the legislation being sunset, you know, should not be of such concern. But I think the provisions of every single piece of legislation, whether it is sunset or not, has to be assessed for the impact on the public of Trinidad and Tobago and the citizens of our country.

I always remember the introduction of CPL in Trinidad and Tobago, and I always had a problem with franchise cricket being introduced because I felt that the CPL—and now we are seeing what really are the benefits of the CPL. I have always felt that the CPL was a deliberate instrument to “mash up” the Red Force, after the Red Force had gained world recognition in the Champions League series in India. They had lit up the entire world. And then came CPL with its franchise cricket, and it is the model that has been used and it literally broke up that Red Force team. I trust that this event, whilst it is being touted as a fillip or a catalyst for the rejuvenation of West Indies cricket, it does not have negative effects as, in my view, that the CPL has on our regional cricket.

Mr. Vice-President, I will just get into the Bill itself, and I would like to go to clause 3(1) that deals with the CWC 2024 venue and attempts to

give a description or try to legislate what is considered as a CWC 2024 venue. Under clause 3(1)(a), it is said:

“...any area within the control of the Committee of the CWI or both, that is reasonably required for the staging of a CWC 2024 activity...”

And when we go to subclause (3) of that same clause 3, the Bill defines what is a reasonable area. And in section 3(a), it states, it:

“may include areas that are to be used for a purpose ancillary to the holding of a CWC 2024 activity;”

So if we are to assess a reasonable area, to me, it is a bit broad in this sense, because not only are we talking or we are saying it is within the facility that the game is being conducted, or the match, for instance, within the confines of a stadium, but it may extend outside of a stadium. I think Sen. Roberts did go to the extent that—probably saying about a radius and all of those things.

But I think we have to bear in mind that there is a definite possibility that the CWC 2024 venue, as being prescribed for in the legislation, there is a high possibility that this would include private property. And in such a case, would the owners of private property within the CWC 2024 venues, require authorization from the CWI or the committee? This is for private property within the venue.

For clause 12 of the Bill before us, it deals with unauthorized entry. And when the hon. Minister of Tourism, Culture and the Arts was making his contribution, I distinctly remember him saying that consent would be given by the CWI or the committee. But in the limited time I have had to go through these clauses here, I have not come across any aspect of what is

Sen. Teemal (cont'd)

before us here, where it is saying that the CWI or the committee would give consent to any private property owner that falls within the CWC 2024 venue. So I hope that when the hon. Attorney General is wrapping up, he can point us to where in this Bill it is a question of consent. Because here we have persons—

Sen. Armour SC: Senator, could you repeat what you just said? I did not get where in this Bill. I lost the last bit that you said. Could you just repeat?

Sen. D. Teemal: Yes, about consent.

Sen. Armour SC: Consent.

Sen. D. Teemal: Yes, about consent, and whether or not somebody who enjoys the right of property should have unfettered access to their property, or we are putting them in a situation where they have to go and seek consent to have access to their own property. I think that is something that has to be—I would like to get some clarification on that. Maybe I am reading it wrong but I am not coming across anything definitive on that matter. Because clause 4(1) state that:

“CWI shall, for the duration of a match period have full and unrestricted control of venue so declared pursuant to section 3(1).”

“...full and unrestricted control...”

So we are putting that power, that authority, into the hands of the CWI, although it goes on to say:

“...subject to the rights of any governmental or municipal authority responsible for public health, disaster management or national security.”

So I will still ask: What about the rights of private property owners within

the CWC 2024 venue?

Now, in the same line of concern that I am raising, for traffic control and deliveries within the CWC 2024 venues, clause 5(1)(a) and (b) says that:

“The Commissioner may...

- (a) regulate or prohibit the making of deliveries within any CWC 2024 venue;”

So the question comes up again: What about persons who are living within CWC 2024 venues? Are they going to be faced with a situation where—I mean, okay, it could be regulated—that they are actually prohibited from enjoying the right of their property?

5.40 p.m.

Then I go to clause 6 that deals with the sale and distribution of CWC 2024 tickets. And with my limited knowledge about large sporting events under such large organizations, is that, do we—I am trying to understand, why do we have to legislate this and whether there are existing laws for abuse in terms of sales of tickets, or fraud and all of those things, to cover this aspect. But we need to legislate for this in the Bill that is before us. In clause 6(4), it says a person who contravenes subsection (2), which is about written authorization of CWI to sell the CWC 2024 tickets:

“...commits an offence and is liable on summary conviction to a fine of sixty thousand dollars.”

Now who in such a situation, who brings the charge against the person? Who? Because the clarity is about whether or not the police would bring that charge, or whether we are empowering the CWI to bring that charge. I think it is something that we need to look at.

Then clause 8, work permits, I think Sen. Mark did talk about work permits, but we are giving the Chief Immigration Officer seven days of being requested. Seven days. I am asking, if this legislation is putting the Chief Immigration Officer—would the resources available to the Chief Immigration Officer at this point in time—because this is happening now, within the next month—to respond to that influx of applications for work permits within seven days, and what is the impact it is going to have on the regular operations of the Chief Immigration Officer.

Would it mean that this is being given priority and the citizens of Trinidad and Tobago who are seeking services from the Chief Immigration Officer during this period of time, would be pushed aside under a waiting list, and say, “Well look you know we are flooded with this event and request for work permits, I have to respond within seven days so allyuh have to cool allyuh self for the month, and then we will get back to you all”? Are there measures being taken for the Chief Immigration Officer to have a special team developed to deal with this influx that would allow the office to issue work permits within seven days? And then if it is not done within seven days, what are the consequences?

In clause 9(1)(j), that deals with import and export duties. 9(1)(j), talks about products that the licensee intends to distribute as promotional items and products of the licensee. Now the reason I raised this Mr. Vice-President, is the term ‘licensee’ because throughout the Bill before us, there is no interpretation of the term “licensee”. So, who is this licensee? There is a term in the interpretation that allows for a licensed user. In the context of section 31 that mentions CWC 2024 indicia and CWC 2024

images. But in the context of goods and services, of goods in particular, import of goods and export, as defined in clause 9(1), I would like some clarification on the 'licensee' because I am not seeing it clearly interpreted in the Bill before us. Or if it relates to some other Act, as I am being told by Sen. Vieira. I mean I think we should refer to it, to tie it into something. But there it just stands out.

Mr. Vice-President, if you would allow me, I would like to go to clause 15, which deals with members' privileges during a match period. Now, here we are just not only talking about Brian Lara stadium because I think the hon. Attorney General did mention about the Sir Frank Worrell Memorial Ground, did mention Queens Park Oval and I think one, the Diego Martin Regional Corporation and maybe there will be one or two other venues for warm-up matches and those things. Clause 14 deals with members' privileges during a match period and we are dealing with, of course, Brian Lara stadium would be a government-related entity. But what about—it says any organization, association, club, or similar body? And why does a parliament have to get into legislating members' privileges for clubs and organizations outside there? And what is being proposed is that, saying:

“...the privileges of a person referred to in subsection (1) may with the consent of the owner of the stadium, be suspended in relation to the stadium, or any part of it.”

Why are we going there in terms of suspension of members' privileges when some of the entities like me, I think that Queens Park Oval is a private entity? They would have their roles and regulations about Members'

privileges and what happens to those Members' privileges during major events like this because they have hosted, I mean, all sorts of events, international events, cricketing events.

So, the legislation is saying that the CWI or the committee can get into the business of, you know, members' privileges of such organizations although it says with the consent of the owner. I am still wondering why do we have to legislate that or whether we should leave that for the CWI to work out with the respective entity.

Clause 15(1) is legislating conduct and again, I guess it is because of the nature of the event and how we go about organizing these things from an international level. And the intent, in terms of conduct is, you know, to ensure safety, to ensure orderly conduct and all of those things. But at the same time, 15(1)(i), talk about conducting public surveys or opinion polls. The conducting of public surveys or opinion polls and saying that, it should not be done in any CWC 2024 venue. And my question is, what about the media you know, because the media may be present not just to report on what is happening and all those things. In terms of the freedom of the press with regard to—they may want to just ask a couple of people well what do you think about this, what do you think about that, and all of those things. And in such a case you know, section 15(1), 51(i), I am just querying it, the media and whether we are stifling the media in that regard.

5. 50 p.m.

Then I go to clause 16 that deals with prohibited or restricted items in CWC 2024 venues, and there is reference to the Second Schedule and there is a list of the prohibitions. The Second Schedule says:

“A person who contravenes”—the provision of what is being allowed for here—“commits an offence and is liable on summary conviction to a fine of one hundred and twenty thousand dollars.”

Now within the Schedule that is provided, now I can understand a dangerous weapon and a fine of \$120,000 being applied, but “fuh a fella who get ketch with ah set of bottle and can in ah cooler”, I mean, \$120,000 for that fine? Because we have lumped a whole list of items from dangerous items down to bottles and cans in the same category and applying a fine of \$120,000 for that, to me that does not make sense, to me it is unfair, it is not proportional.

Then clause 19(1) says that:

“An authorized person who suspects, on reasonable grounds, that a person in a CWC 2024 venue has committed or has been involved in the commission of an offence in contravention of this Part may take a photograph or make another form of image including a closed-circuit television recording of that person.”

So here what this clause is doing is giving a person authorized by the CWI or the ICC the authority to take and “jack up a fella and say, come here, I taking a picture of you.” Why are we giving that authority to somebody that is authorized by ICC or CWI? I mean I could understand if it is done in the presence of a police officer, or in conjunction with the presence of a police officer, but giving that authority to someone that the CWI—I do not know what training they are putting in place for these people because they are going to accost the public, members of the public and say, “Well, I suspect you of something.”

Sen. Dr. Richards: We “ain’t” accustom to that.

Sen. D. Teemal: Yeah, we are not accustomed to that. “Come here, I am authorized to take a picture of you.” I will not be surprised if some member of the public “cuff down de man or buss ah few cuss on him”. You know, this is a sort of cultural insensitivity to what the reality is. I think in clause 19(1), to avoid push back from the public, I think that we should put there that this has to be done in the presence of a police officer. That it should be brought to the attention of a police officer on duty and this part of the photograph thing should be done in the presence of a police officer, and the interception should be done by a police officer.

Then clause 21 that deals with the control of advertising and prohibition of certain advertisements of building and structures. It says:

“Subject to existing contractual rights, a person who is the owner or occupier of, or the holder of a lease or licence relating to land...”

Et cetera, et cetera, et cetera, you know—

“...shall not cause or permit any advertisement or advertising material to be displayed or fixed to or placed on or to remain on the land, building or structure except as authorized in writing by CWI”

Okay. Even if it is private property, okay, if consent is given by the CWI or authorized there is some degree of authorization, I could understand that.

But 21(2) states that:

“CWI or an authorized person may erase or remove any advertisement or advertising material fixed or placed on any land, building or structure in contravention of subsection (1)”

So here again, we are giving an authorized person and under this is the

CWI or the ICC, the power to erase or remove on a man's land, any advertisement or advertising material fixed or placed on any land. We should not be doing that in my view. That should again happen through the involvement of the police. I am suggesting that that be added in here because the intervention and the presence of the police to go and say, well, yes, the authorized person can go but with a police officer and say, "Look so, so, so, this advertisement, and we are asking you to take it down." Not for the authorized person of the CWI to go and take it down themselves. That is going to cause trouble and could have serious consequences. So I am concerned about the power that is being given here to the authorized person.

Mr. President, with those observations on this I would close my contribution. I know we are saying that amendments should be submitted in writing, but with 24 hours or less to go through 48 clauses and then expect Senators to—I am not complaining about the procedure itself, I am just talking about the difficulty with this particular Bill, to submit written amendments as well within that time is really, really challenging. Thank you kindly

Hon. Senators: [*Desk thumping*]

Mr. President: Sen. Vieira.

Sen. Anthony Vieira SC: Thank you, Mr. President. Let me begin by sharing the same lament as expressed by Sen. Dr. Dillon-Remy, Sen. Teemal and others about the late notice of being provided with this information. It is not like it just happened suddenly. We should have known that this event was on the cards. There was enough turnaround time to give everybody prep, but it is what it is I guess.

Let me say that I listened to my brother Sen. Teemal, and a lot of his questions to the ordinary person would seem reasonable and would make sense. But this Bill is the brain child of intellectual property lawyers and so, to understand the nature, scope, and effect of the provisions of this Bill one needs to understand intellectual property. And when it comes to staging international events, the lengths at which competitors will go to to get their products in full view of the public as opposed to the paying sponsors and advertisers. So, in many respects, this Bill is less about the game of cricket and more about ring-fencing intellectual property rights for an international event.

Now, it begs the question, why would we pass legislation where the lion's share of financial returns will go to outside interests, and where locals may be treated as second-class citizens in their own land under certain circumstances? Is it because cricket is so much a part of our national identity that we will pay any price not to be left out? Are the intangible benefits so invaluable? I just put it as a question.

The other observation I want to make is that given the nature of this legislation in that it has to remain in harmony with sister Acts in other countries in the Caribbean, there is little, if any, scope for bringing amendments to this legislation. There is little or no wriggle room.

Now, it is a pity because we have been on this road before. In 2007 we had this event, and we could have learnt a lot of lessons then, and it seems to me that between 2007 and now there was a time, there was a window of opportunity to actually engage in serious negotiations, which, I think, we have dropped the ball on. So accepting that there may be little or

no wriggle room for amendments to be made, should that prevent us from raising questions and concerns? Are we as a sovereign country so insignificant that we feel we cannot negotiate with the ICC, and FIFA, and these other international organizations, that we must just take whatever is given to us?

I would like to say that even with the time for negotiating amendments has passed, the next time around, I hope some of the comments that come today will bear fruit and that we will approach the matter in a slightly different way, right, because we had 17 years since 2007 to really come back to this event in a certain way.

Now, the fact is that this legislation is pretty much based on the 2007 model, which proved to be very successful in protecting the commercial and the security aspects for staging the games. So it repeats that earlier approach. No import or export duties, no taxes on tickets, no unauthorized broadcast and recordings, no ambush marketing, lots of security. The legislation is meant to enhance profits and the profitability of the event by ring-fencing, sponsorship, broadcasting, merchandising, and ticketing.

Now, with that backdrop, I have a few questions and comments that I will pose. What is the regime for local broadcasters? Is there a procurement or tendering process? Is there a package of rights being sold or available to locals? Say Massy or ANSA McAL. What is regime for locals who may wish to sponsor? How can they apply? How can they use this event to market local goods and services to an international audience? What is the enforcement strategy? Sen. Teemal raised it. Is it that the police are going to get special training, or is it that the ICC will have a law firm and agents

out in the field poised and ready to bring enforcement proceedings as and when necessary? What is the strategy for breaches of the prohibition against ambush marketing?

Given that this will be the largest sporting event in the region, what, if anything, is being done to promote local sport and our traditional cultural expressions? I want to ask a question. Could this legislation not be used as a template for Carnival? So, for example, by the NCC because again, the same IP laws that we are bringing here to protect the cricket could equally be applied to protecting our cultural things when we bring mas on the road which is in a public space. So there is an argument as to whether when you are performing in a public space, you acquiesce to your photographs being taken and being used.

6.05 p.m.

There has been a lot of talk in the past about strengthening intra-regional travel, you hear about the ferry and I know what we are talking about, modernizing border control, and harmonizing regulations regionally. And we saw it successfully happen in 2007, and here we are having another round at it. But as in 2007, it ended with the sunset clause and in 2024, again, it is going to end with this sunset clause. But could we not use this legislation as a template for a single, integrated and seamless air transport market for CARICOM? We are about 10 years behind the rest of the world in terms of facilitation measures and initiatives.

Another thing I would like to talk about is volunteers. In Trinidad, particularly at the grassroots level, our sports rely very heavily on volunteers. These are the unsung heroes, who sacrifice time and energy and

effort, and often their own personal resources to keep the sports, about which they are so passionate, alive. And research has shown that sustainability of grassroots sports relies very heavily on the dedication of these individuals who form the backbone of most clubs and organizations.

So instead of making volunteerism attractive by using this high profile event as a great opportunity, by allowing volunteers and school children to participate and to play some role, yes, this legislation does the exact opposite. And I think we have missed a golden opportunity. Would it not have been wonderful if we could have figured out ways and means to make this event an enriching experience for those who have given so much to sports and to the game of cricket.

You know, we would want to ensure that there is a psychologically safe environment where everyone feels that they are belonging, they are being heard and enjoying the event. It should not just be for a privileged few. If we were able to have approached this differently, who knows the passion we could not ignite. I always remember the “Road to Italy” and if ever there was a time when I saw a united Trinidad and Tobago, that was the moment. Sport has a way to unify us and to ignite us like nothing can. Yeah? So these are opportunities that I feel that—someone had used the words “soft power”—These are the soft power opportunities that we should look at, we should try to embrace. Right? It is important to create systems and structures that empower individuals to contribute meaningfully.

As Sen. Roberts and Sen. Maharaj point out, the problem with this legislation is that it is entirely one-sided. It falls short on providing opportunities for local sponsors, for local broadcasters, for our merchants

and for volunteers. We all want to support cricket, but that should be done in an environment that celebrates our own. It should be done in a way that recognizes diversity and can offer sustainable growth, not just for the few but for the many.

It is important to consider the wider role that this event can have, not just in terms of improving the spectator experience, not just in maximizing commercial revenue for a few, but how it could positively impact on as many as possible. And that would be consistent with the National Sport Policy which was put out in 2002, which is based on the democratic principle of equality, equality of opportunity and total participation in sport.

Now, one expects that the ICC and CWI, incidentally, both companies incorporated under the laws of the British Virgin Islands, they will get the lion's share of the profits generated by the event. But do we have a formula? Is there any recipe where Trinidad and Tobago will get some percentage, some part of the revenue being generated? I do not know—I would like to know if there is. The country is getting involved with vested interests, is there independent oversight? How transparent is this process in terms of accounting for income generated and for decisions being taken? What happens if the interests of Trinidad and Tobago and ICC and CWI collide? Where is the accountability? How would such disputes be resolved?

Clause 9 says that:

“Notwithstanding...any law to the contrary—”

—multiple items will be exempt from:

“...import...duties...and...taxes...”

...chargeable on the importation of goods into Trinidad and Tobago.” But we have a customs and duties Act. And under that Act, there are very specific provisions for the landing of passengers and the unloading of cargo from ships and planes. Can we curtail the Comptroller of Customs’ powers by bypassing key provisions under the Customs Act this way?

Under the Telecommunications Act, the first object of the Act is the need to establish conditions for an open market for telecommunication services, including conditions for fair competition at the national and international level. This legislation abrogates that and it is going to impact on national—the holders of concessions and licences. Have CWI and the ICC satisfied our telecommunications authority on the issue of fair treatment for consumers and for our local broadcasters under this Bill.

Now, from the perspective of an intellectual property lawyer, this is well-crafted legislation. Right. Marketing and promotional activities surrounding sporting events like the T20 Cricket World Cup can be highly lucrative and as a result, they are always tightly regulated. So in the event, a selected few will get to be the official partners. A selected few will be granted specific marketing opportunities and the right to use certain intellectual property rights in return for significant financial or other contributions. And those who attempt to piggyback on the event, for example, through the use of ambush marketing, they will be stopped. They will be stopped under our Copyright Act, under our Trade Marks Act, under our Protection Against Unfair Competition Act, and they will face very harsh penalties.

So, unless you are an accredited person, a designated person, an official sponsor, an official supplier, an official broadcaster, you need to understand that you will have to tread very carefully where it comes to using any words, images and the like, that may be subject to trademark, copyright, design protection or otherwise legally protected. You will have to tread very carefully regarding any promotional activity that may suggest an association with the event or its participants. And consumers should not be led to believe that there is some sort of connection between your brand and the event. Those are no-no's and I hope that the powers that be will really alert people out there because they do not want to inadvertently fall short and find themselves breaching the law.

Those who attend the event will also have to check the ticketing terms and conditions to ensure that they comply fully with those terms and conditions. So, I accept that promoting an international sporting event like this, offers a broad range of benefits, it could boost tourism, it can help the economy, it offers us a chance to showcase Trinidad and Tobago on the international stage, and it can generate revenue through sponsorship and media rights. And as I said, from an IP point of view, this Bill certainly stands muster. It does what it is supposed to do. But the concerns expressed by other Senators who spoke before me and I share the same concern, those concerns go beyond the intellectual property considerations. They have to do with ensuring that the benefits of the event favour a majority rather than a few.

I believe that more can and should have been done in terms of prioritizing inclusivity, transparency and community engagement throughout

the planning and the execution process. I believe that more could and should have been done in terms of community involvement, engaging local communities and entrepreneurs in the planning process to understand their needs and concerns. Not just in Trinidad, but Barbados, all the Caribbean islands. We are small communities, you cannot exclude people. Economic redistribution. Could we not find ways and means to implement strategies to ensure that the economic benefits reach a wide range of stakeholders, including small businesses, local vendors, and residents?

What about infrastructure development? When you see the Olympic Games and international games being staged in other countries, what is striking is that they invest in long term infrastructure projects that will benefit the broader community, such as transportation improvements, public spaces, recreational and sporting facilities. What about legacy programmes?

Could we not have established some sort of programme—Minister Browne spoke about what was going on with schools and all of that, but when I heard him speak, he was describing something that was incidental to, not intricately part of, not designed into the fabric of the event. Could we not establish programmes to ensure that the event's legacy extends beyond its duration, such as funding for youth sports programmes, education initiatives, health and wellness initiatives.

Accessibility, ensuring that the event is accessible to all people of all backgrounds and income levels with affordable ticket prices and transportation options.

I believe if such measures had been negotiated, had been considered and the benefits of the event could be seen as being distributed more evenly

and equitably and positively, the impact of this legislation would get a lot more support than a lot of the hesitancy that you are hearing and some of the concerns being expressed. I think it would have been much more positively received, and with those few words, I thank you.

Hon. Senators: [*Desk thumping*]

6.20 p.m.

Mr. President: Sen. Thompson-Ahye.

Sen. Hazel Thompson-Ahye: Thank you, Mr. President. Yesterday I came here and I said—I complained that we had fewer than two days, two working days to prepare for the debate. Today, we have fewer than 24 hours. So I will not complain again because the next time, I fear that I may be presented with the Bill when I enter the Parliament.

Mr. President, one of the things I enjoy though about being a parliamentarian is the challenges it presents, the opportunities to learn new things, not only about a variety of areas, but for self-discovery. Who would have thought that I would be standing anywhere talking about cricket? Certainly not I. As a young child, I could remember getting up early in the morning, in the wee hours, and I am hearing my dad excitedly saying, “Oh shoot,” and that is the strongest expletive that he would ever utter, and he died at 93. And I would look askance at my mother, and she would say, “West Indies just lost a wicket, yes.” As she saw my puzzled look—and it was so early in the morning—she would say, “They playing in Australia,” or “They playing in England,” or “They playing in New Zealand.” Wherever it was, he had to be listening. He was passionate about his cricket.

The only time I took an interest in cricket was when I went to Mayaro Beach, and we would take the branch from the coconut and the sea balls or sea coconuts floating on the beach, and that will be our ball, and we would have fun. As an adult, I recalled one day being very excited because there was a number of people in my home and they were talking about Ambrose and Walsh, and they were all excited because those were the men who brought home the West Indies as winners that day. And that is the day I think, I got a bit of cricket fever.

Now, I had no idea how revered our Brian Lara was until I went to Australia for the First World Congress on Family Law and Children's Rights in 1993. The first day I took a taxi from my friend's apartment to the Sydney Convention Center, the taxi driver asked me, "What country are you from?" I said, "Trinidad and Tobago." He said, "Brian Lara's country?" He said it with such reverence. "Brian Lara, you from Brian Lara's country?" I was amazed, because every morning when I took the taxi to the Sydney Convention Centre, the reaction of the taxi driver was the same. When I went to the Second World Congress in San Francisco, instead of saying, as I used to do, "I am from the land of calypso and steelband," I would say, "I am from Brian Lara's country."

And you would not believe, Queen's Counsels and judges from UK, Australia, New Zealand, South Africa and the other Commonwealth countries, they gathered around me during the coffee break, "You from Brian Lara's country?" One of them said, "It was worth it to come here to this conference to hear you say that name, Brian Lara." You know, it is only in 2017, that I met that celebrity. Although being a countrywoman of this

legend, I never met him until the lawyer's cricket team held a fundraiser at his home, and that is when I met Brian Lara.

Now, when I hear about this event that is taking place, and having experienced what people feel out there about Brian Lara, I can think and I can actually see the crowd of people, who so love Brian Lara, wanting to come to his home country. And I am asking myself, what is CAL doing about this? Are we thinking about charters? Are we thinking about having special fares, so that people can come to Brian Lara's country to actually see where he came from and enjoy the cricket? So those are possibilities, and those are things that we can think about.

Cricket is an important part of the Commonwealth, and not least of all, Trinidad and Tobago. So today, we are debating the ICC Men's T20 Cricket World Cup. The ICC World Cup was inaugurated in 2007 and it is held every two years, save the year when the Cricket World Cup is being staged. So this year it is being hosted by the United States, and the West Indies in June, and it is almost upon us. I expect that a great deal of money can be generated for the economy in the cause of staging the event, which I expect will be well patronized, given the nation's passion for cricket and its popularity of the game in the Commonwealth.

So despite the winning fortunes of the West Indies cricket team—and there are lots of joke about the West Indies cricket Team. We all know about the child who said he does not want to live with his parents anymore, he wants to go and live with the West Indies cricket team, and when the social worker asks, "Why?" "Because they do not beat nobody." So we

expect that they would come and they will “eat ah food”, or rather, sip some wine or drink some of our rum for the T20 Cricket World Cup 2024.

Now, the Explanatory Note states that:

“The main purpose of the Bill is to make provisions for the efficient and effective staging of the ICC Men's T20 Cricket World Cup 2024 and for related purposes.”

Now, we have heard those on the other side speak about, Trinidad and Tobago has very often staged events, and staged them very efficiently. But we are concerned here about the effectiveness of the staging and we trust that everything will be put in place.

Clause 2 is the interpretation provisions, and it seems comprehensive enough. But I would suggest that in the interpretation section, we put a definition of “ambush marketing”, although it is identified, to some extent, in clause 25.

Clause 3: I suggest that since most people do not have access to the *Gazette*—and increasingly, I find people do not read newspapers—that the public notice of the areas for staging of CWC activities, match period and ancillary activities, we advertise also on national television.

In Clause 3(b): For the umpteenth time, please do not write “comprised of”. I am tired of saying in this Parliament, it is not correct English. You must write, either “comprises” or “composed of”. All of us were taught that in Common Entrance class. Although it seems that since we have changed Common Entrance to SEA, we are at sea with proper grammar.

Clauses 4 and 5 seem fine to me.

Clause 6(1) prohibits the disposing of a ticket for gain or profit. The penalty is \$60,000. Now, suppose someone spends money travelling to a venue, waiting for hours for a ticket, and then falls ill and cannot attend a match, and two of his cousins are vying for the ticket, why can he not sell it to the highest bidder—the higher bidder? It is not always selling for a profit conducted by a scalper. Think about it.

Clause 8 specifies that a work permit may:

“...remain valid and effective until the conclusion of CWC 2024.”

I would suggest that you can include the phrase, “or such longer period that the Chief Immigration Officer may decide or this does not preclude a tourist visa being granted at the end of the work permit period.” Because someone may want to stay on, they may have a work permit, they may have to leave, but they may have relatives in Trinidad and want to remain for the period. Is it that they can get then a tourist visa? You can think about that.

Clause 9: I hope this provision of exemption of import duty of supplies being imported:

“...in connection with the organization and staging of CWC 2024...”

—will be policed strictly. There are too many “smartmen” and women in Trinidad and Tobago who are allergic to paying taxes but they are addicted to making profits.

Clause 10 deals with exemption from taxes and duties, and I expect it is a provision common to all countries which stage World Cup matches. If it is not, please let me know, and then before I close, I would say that should be removed. Because it is not only Max Senhouse, Trinidad and Tobago needs the money.

Clauses 11 and 13 speak to conduct at a venue, in terms of designation of entrance, manner of authorized and unauthorized entry and exit, manner of removal, penalties for unauthorized entry, time of entry and exit, designation of reserved areas, and penalties for failure to comply with directives in respect of these matters. That is fine.

Clause 14 deals with suspension of privileges of members of organizations during a match period. And we heard that they have agreed, so that does not seem to be a contentious matter.

Clause 15 outlines undesirable conduct within a match venue, and penalties, and I think they are reasonable.

Clause 16 now speaks about items, which are prohibited at a match venue, and removal from the venue of a person who contravenes the section on penalties, for person who contravenes the law regarding prohibited items, and refusal to obey the order to leave the venue. That too seems reasonable to police conduct that is not acceptable.

6.30 p.m.

Clause 17 now, speaks of an order to surrender prohibited items, the manner of storage of item and compensation, loss or damage occasioned to loss of items surrendered.

Clause 18 outlines restriction on sale of goods within venues and penalties for breach, \$12,000; pretty high. One of my colleagues spoke about it and I entirely agree. I am wondering though what opportunities are going to be given for the “small man” to make some money during this time.

Clause 19 grants authority of an authorized person to photograph someone whom he believes, on reasonable grounds, to be involved in the

commission of crime and provides for destruction of image after the World Cup, unless the image is required for evidential purposes in a court case. I would advise anyone who is going to go about photographing people that they better be careful that they do not end up where they do not want to be. Although I always remember when I wanted to photograph some young people that I saw outside my house, sitting in the park on a rainy morning, I did not do it, because when I turned back home they were inside of my house. So I would have been able to supply that information to the police, but I was obedient and I did not photograph them.

Clause 20 is unhappily worded. It empowers the police to require a person whom he suspects of commission of a crime to supply his name and address. A person who fails to do so or supplies false information, may be ordered to leave the premises or may be removed by a police officer and is liable on conviction to be fined \$6,000. So perhaps we could frame it that way instead.

Clause 21 prohibits the owner or occupier, lessor or licensor of a land, building or structure within a CWC 2024 venue from having any advertisement on the premises, unless authorized by the CWC. I would want to know what are the requirements for these advertisements and whether again the "little people" will have an opportunity to make any kind of profits in this environment.

Clause 22 prohibits the operating of an aircraft over the venue during a match under penalty of a fine of \$120,000, and I am wondering if it is the noise that is going to disturb the cricketers, or if they believe somebody is going to be photographing the match or, you know, the whole rationale for

this.

Clause 23 prohibits publication of false or misleading advertisement regarding CWI, under penalty of \$120,000 for a first offence and \$180,000 for a subsequent offence, and I am wondering if this is really a money Bill, because these fines are so high. Is it that they are trying to raise money and that is why?—because when you have certain offences in the Magistrates' Court, certainly—and these are all summary offences from what I see—the penalties are not so high. So do not say it is going to be a deterrent, because when people are doing these petty crimes, they do not really think about what is going to happen afterwards.

Clause 24 prohibits, except for personal use, the broadcast, narrowcast, telecast, transmission, recording, publishing, disseminating, reproduction or circulating by any means, including television, radio, satellite, Internet, or any wireless service without approval of CWI. The penalty on conviction, again, \$100,000, and the material would also be confiscated. Well, good luck with that. Trinidadians are very ingenious, you know, they are going to find ways to get around that, and happy hunting for those who do not comply.

Clause 25 refers to ambush marketing, which involves making or using or publicizing advertisement, images, statement, communication, marks, or other activity, which suggests a contractual relationship between CWC 2024 or a person connected with CWC. The penalty for breach is again—“big money time”—\$120,000. I want to believe, this is a provision that is going to be broken more than any other, because people are going to be very smart getting around that and you are going to be seeing the jerseys

and so on, and they are going to be making sales, whatever, you know, we can be very creative. So I expect this ambush marketing to attract people, to ambush the whole enterprise.

Clause 26 prohibits the use of a CWC ticket for any promotional activity or as a prize, lottery, competition, game without the prior approval of CWI. The penalty is \$60,000. Again, I can see that happening. I can see people, you know, actually doing those things. So good luck with that as well.

Clauses 27 to 38, which is Part V, seeks to protect marks, indicia and images, including detention in custom of goods being imported with the logo. Again, people are going to be very creative.

Clauses 39 to 46 deals with remedies, quite extensive. So I wish my country all the best. I hope for the best, and there are lots of things that can happen, and all I ask is, please, remember the "little people". Do not let this be a situation where the rich will get richer and some people will benefit greatly, and the people who really are suffering will have no opportunities to make any money at all. Thank you for your patience in listening to me.

Hon. Senators: [*Desk thumping*]

Mr. President: Attorney General.

Hon. Senators: [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Sen. The Hon. Reginald Armour SC): Thank you very much, Mr. President. May I say thank you to all Senators who have contributed, and in particular to the Independent Senators. At the risk of incurring the criticism of repetition, may I begin my wind up, where I began my pilot, I apologize.

Hon. Senator: [*Inaudible*]—apology.

Sen. The Hon. R. Armour SC: We entirely accept that this Bill has come to this Senate, this honourable Chamber late and we wish it could have been otherwise. We do not accept, in the cricket metaphor terms, that we have completely dropped the ball, but we take on board the very useful comments and suggestions of the hon. Senators of the Upper Bench to be able to give the solemn assurance that we intend fully to catch the ball the next time.

A number of very useful comments have been made by all of the Independent Senators who have spoken and I acknowledge them all, some I will address in particular, but I wish to say that all Senators of the Upper Bench have made very useful comments which I have personally found significant. Members will appreciate, when we get to the committee stage, that I am in the process of circulating three amendments; one from the wisdom of Sen. Dr. Dillon-Remy, one from—and I made a note when he made these utterances because it struck me as being very significant, given the temper of the gentleman, and I use the word “temper” in the tempering sense, Sen. Teemal. He spoke of having to restrain his emotions when he was reading the Bill between yesterday at circulation and today on the debate.

That struck me because Sen. Teemal, I have come to respect, not only for the quality of his contributions but the measured tones and the measured manner in which they are always delivered.

Hon. Senators: [*Desk thumping*]

Sen. The Hon. R. Armour SC: It is a disposition which—to use a phrase that I like to use—I would like to emulate when I grow up.

Hon. Senators: [*Laughter*]

Sen. The Hon. R. Armour SC: The second amendment that I am circulating addresses the very legitimate criticism that he made with respect to one of the sections where the word “licensee” was not defined, and I will therefore be asking Members in the committee stage to accept that amendment. We will deal with it at the appropriate time. There is a third amendment, which in the Schedule “folding chairs” is one of the prohibited items. It is not spelt out and it says, “folding on the mound”, so we have introduced the word “chairs” to qualify “folding”. So we will be making those amendments.

I say all of that, not only to accept gratefully the wisdom of the Upper Bench and the contributions that they have made, but also to acknowledge that, as I said in my pilot, those who have assisted me in the drafting process have worked hard, long hours. And we are not perfect, including the fact that we have come late to the Senate, and that slipping of the term “chair” from “folding chairs” was one of those things that we missed. So thank you to the hon. Senators.

Many different remarks were made otherwise and I would just address a few of them without any disrespect to the fulsome remarks made by all Senators. Sen. Maharaj spoke to the value and it was one of the things that I too emphasized, and I am happy to associate on this with Sen. Maharaj. She spoke to the value of the CARICOM single space and free movement and wants to hear more about that on the agenda. I really do think that one of the templates that we have been given by the T20—I almost said “free 20”—cricket is that it is encouraging us to see and to understand and to put into

effect the concept of free movement in the single domestic space of the Caribbean.

We are working on it in larger terms in the legal affairs committee, which consists of the Attorneys General, but the template that has been given to us by the T20 cricket is something that we can continue to apply, and I would hope, going to the point Sen. Vieira made, that we can do better the next time. I would hope that we do not, at the end of the sunset period, 30th of June, 2024, simply put this away and not look at it until the next T20 comes up. We need to keep using these precedents as the templates for our own existence, free movement within the single domestic space of the CARICOM region. So I acknowledge Sen. Maharaj's contribution in that regard.

Sen. Dr. Dillon-Remy had made the point in relation to clause 2(a), “dangerous weapon” and “instrument”, well, that is one of the amendments that we are making. The short point is that in clause 2(g), the word “instrument” was out of place, because “dangerous weapon”, when you go to clause 2, says:

“‘dangerous weapon’ means any—”
—and then it lists the different weapons, and “(g) instrument”, was not to be there; “(g) instrument” was really to be at the bottom as we shall see in the amendment when we come there. So it would be:

“‘dangerous weapon’ means any—

Instrument;

article or material which can be used to—

(i) Maim, disfigure”—et cetera—

—but we will come to that. So thank you, Sen. Dr. Dillon-Remy.

6.45 p.m.

Clause 19 (2) was also addressed by Sen. Dr. Dillon-Remy to make the point 19(2)(b) with respect to the authorized person. The point about 19(2)(b), when you read it fully, you appreciate from 19(2)(b) that what that clause is speaking to is that an authorized person and an authorized person would be an ICC or CWC authorized person who suspects on reasonable grounds that something has been done which gives reasonable cause to suspect that an offence has been committed, that authorized person takes a photograph. But the clause does not create an illegality. It is simply that the authorized person takes the photograph to preserve the evidence of what he or she may have witnessed. That is then given to the relevant ground authorities where the event is taking place and is to be used, as we can see at clause (2) only for the purposes of identification. So it is corroboration of what was witnessed.

If at the end of the day, what was witnessed does not amount to something that a police officer—and this addresses Sen. Teemal's concern—if at the end of the day what was witnessed and a photograph was taken, amounts to something which a police officer can charge as a criminal offence, then that photograph will be retained for purposes of evidence in such criminal charge as may be brought. But if at the end of the day, nothing comes of it, at the end of the sunset period, seven days, on the completion of CWC 2024 those photographs are destroyed. So, that the two short points in there in response to Sen. Dr. Dillon-Remy on clause 19 is that the clause itself does not commit an offence. The offence is only when

reasonable suspicion is investigated by a police officer who then lays a charge, and that charge then falls to be prosecuted.

Sen. Dr. Dillon-Remy also made reference to clause 24 of the Bill and questioned the use of “other than for personal use” would posting on social media, if we are in the Cricket World Cup be covered by this? She questioned if she—Sen. Dr. Dillon-Remy—were to go to Brian Lara Cricket Academy would she be able to post her image on social media? Well, the point is Senator, that any activity that is not for commercial purposes is permitted. There is no prohibition against the use of images for personal use because the language is “other than for personal use”, that is to say, commercial purposes. So, any activity that is not for commercial purposes will be permitted under this clause as being an activity that is for personal use. So, yes persons can post on social media.

And that takes me across to a further point that I do think bears some elaboration and I had referred to it in my opening very briefly, and I just want to elaborate on it a bit. The point is that there are controls that are introduced for the management of information and images in the indicia and the images and section 24 says:

“24. (1) No person shall other than for personal use narrowcast, telecast, transmit...”

—et cetera, different images and so on. But very importantly, and this goes to a concern which Sen. Teemal had expressed and whether there were provisions in this Bill that are going to trespass on the freedom of expression which is guaranteed under our Constitution. That has been very carefully looked at so that, section 24(7) says:

“(7) The broadcasting, telecasting, recording or filming of any information relating to a CWC 2024 activity for the purpose of provision of information or for the purposes of criticism or review is not by itself sufficient to amount to a contravention of subsection (1).”

Subsection (8) goes on to define the terms “provision of information” and “criticism or review”. So that:

“‘the provision of information’ includes a reference to the reporting of news and the presentation of current affairs; and

(b) “criticism” or “review” includes a reference to criticism or review—

(i) in a newspaper, magazine or similar periodical;

(ii) in a broadcast; or

(iii) in a cinematographic film”.

The point there being that the Bill expressly accepts and pays tribute to our fundamental right to freedom of information and the capacity, potential and ability of our reporting media to report, to capture images, and to purvey information for the edification of the citizens of Trinidad and Tobago is preserved by section 4 subsections (7) and (8). So, I just want to give the assurance that the attempt to protect the property of the CWC, ICC images, indicia of the CWC 2024 images are not intended to prohibit the ordinary provision of information, criticism or review which is carried daily in our national media.

Another point I may turn to next, Mr. President, with your leave. Another point which was made by Sen. Dr. Dillon-Remy with reference to

clause 29(3), images and indicia of CWC 2024. Who is making that judgment in terms of whether these images may resemble CWC images and indicia. Who makes that judgment, and where is my recourse, asked Sen. Dr. Dillon-Remy. Well, we have incorporated in the language of the Bill throughout the use the term, the legal standard of the reasonable man. And that term will be the basis on which all such judgments as are going to be made as to whether there is a violation of a provision of the Bill, if it becomes law, the Act will be judged by the legal standard of the reasonable man and there is a vast array or Sen. Wade Mark might say an *armator* of common law which defines what a reasonable man is and what is the standard of the reasonable man. In the United Kingdom it is referred to as “the man on the Clapham omnibus”, in Trinidad and Tobago we say “the man on the Priority Bus Route”.

The classic standard of reasonableness is what this Bill preserves for the judgment calls that will be made by the authorized person or any other person. If at the end of the day in the section that deals with remedies, anybody finds that there has been a violation either by way of defence or offence, the courts are given very specific jurisdiction under this legislation, and have ample jurisdiction at common law and under the Supreme Court of Judicature Act to assess the reasonableness, the unreasonableness, the disproportionality of any activity that is undertaken by persons within the realm of authorized persons who might become overzealous.

One is not about to defend persons from that possibility but we have a very robust judicial system in Trinidad and Tobago, we have a responsible police service, and I am very confident that provisions that are provided for

in this Bill to allow the CWC 2024 to be run as efficiently and expeditiously as we hope it will be run. I am very confident that those powers conferred by this Bill on those persons will not be abused and will not be allowed to be abused.

Mr. President, if I might just turn to a couple other matters that were raised. Sen. Teemal raised the question of immigration. He says with reference to, I believe it was section—I will get back to the section, but the point is, in the section that deals with questions of immigration which were raised by Sen. Teemal, does the Chief Immigration Officer have strategies in place to deal with the influx? Well, one of the things that actually occurred, and it is part of what we are, and no blame is being assigned here, everybody was doing their work through night and day, but one of the things that actually occurred in the drafting of the Bill which is before this House today, is there were meetings of Chief Immigration Officers, and I said this in my winding up of CARICOM, and they met in Antigua and Barbuda from the 11th to the 13th of March, 2024, to plan strategies to deal with the provisions of this Bill and to put in place a plan to deal with the influx of visitors.

So, the administrators of the law, including the immigration officials, have actually, very uniquely been part of the drafting considerations and process so that they are fully informed by the legislation, and those who drafted the legislation are fully informed by the confidence that they have that their administrators are putting in place the measures to enable the law to be a working instrument of fairness and justice.

Again, going back to the point that Sen. Maharaj made earlier, perhaps we need to use this precedent of CWC 2024, not put it down at the

end of it, and use it as an example of how we can get the collaboration amongst different major offices and institutions across the Caribbean. That is what has been taken place since we met here in March 8th and 9th of March through to when this Bill was approved for passage into the Parliament. We approved it in Legislative Review Committee last week Friday morning, and it has come now to the Parliament. There has been a concerted partnership of effort among Ministries of National Security, Commissioners of Police, Chief Immigration Officers, and Comptrollers of Accounts to make this a working formula for success.

Mr. President, just moving on if I may, Sen. Teemal expressed concerns about the declarations of venue and private property that are provided for in clauses 3(1) and (3) and asked whether this would affect private property holders who are going to be affected by the powers that are being given to the CWC and ICC and the answer to that is, no. They will not be affected. This is answered in clause 3(3)(c)(iii) of the Bill. Only private property with the consent of the owner may be used to stage a CWC 2024 activity. And there is a further point to be appreciated from clause 3 and that is—not clause 3. I will come back to that, there was a further point that wanted to make to reassure Sen. Teemal.

Clause 12, “Unauthorized entry”. Sen. Teemal was concerned, can a person be allowed to enter a playing field, stadium, or CWC, can any person be allowed to enter such a venue? And the language is:

“Unless authorized by CWI, no person shall...”

Clause 5(1), dealing with traffic control. Whether persons will be discommoded. Well, yes, people will be the discommoded but it is the

confident expectation that the regulations will be published in advance, and that traffic orders which are published will be enforced by the police in the same way when we have the Carnival and we have traffic regulations, those regulations are enforced and we live with it. So, I do not expect that to be a problem.

Sen. Teemal pointed to clause 9(1)(j), who is the “licensee” and that is one of the criticisms that I have taken on board; “licensee” certainly needs to be defined. It is one of the things that we did not pay sufficient attention to in getting the Bill drafted. “Licensed user” is defined, “licensee” is not. We will deal with that in committee stage.

Clause 19, taking a photograph if done by an authorized person should be done in the presence of the police.

7.00 p.m.

Well, the point is that throughout all the venues in any event, CCTV cameras are at all points of entry and are manned remotely by authorized persons of the CWI, but in any event, are manned throughout Trinidad and Tobago right now. One does not need a police presence to be standing next to all of those CCTV cameras to make them lawful and legitimate for the use and objective that they are intended to serve.

The point is that, if the evidence that is captured by the use of cameras is evidence that can persuade a police officer on reasonable grounds according to law that an offence has been committed, then we fully and confidently expect that the rule of law will prevail, and that the police will charge a person on sufficient evidence and that person will be able to avail themselves of all of the remedies and rights that they have under the law, if

they are so charged. So, we do not anticipate that that is going to allow an abuse of persons' rights.

So, Mr. President, those in the main, and as I say, I do not intend to, by omission of names not address all of the points that were made. Sen. Vieira made a number of very significant points. As I understood him, and I hope that I understood him correctly, he accepts that there is an impetus and a purpose and legitimacy about the Bill that is before the Parliament, the Chamber of the Senate this afternoon for passage. But he expresses the hope, and I would dare say the confident hope, that we will use this experience to ensure that when next we have to bring such legislation to the Parliament, we would have done the job far earlier in point of time, and be able to have a much more measured and controlled input into both the Bill and the debate and also to the structure that we are putting in place for the society that—and going back to Sen. Maharaj's point, that we want to hope, will eventually lend into the structure of a CARICOM single domestic space that we can all continue to be proud to be part of.

Sen. Thompson-Ahye made a number of very good points, all of which I accept, but I understand them much in the same vein as Sen. Vieira's points, and those are points really to point to what needs to be done for the future management of events such as this and not to find ourselves at this late stage asking this very respectable and august Chamber to pass into law a piece of legislation that we all wish we could have spent more time looking at.

But the hard choice really was, and I am certain as I stand before you today, the hard choice really was, that if we had said to the CWC and the

ICC when they came to us to participate, “You have not given us sufficient time and we will pass on this opportunity, come to us in another five years”, I am certain that we would have been told-off in no uncertain terms by the Members of the Lower Bench, United National Congress, for having missed a real opportunity for Trinidad and Tobago and deprived the citizenry of an opportunity to participate in that lovely game of cricket.

So, Mr. President, without wishing to belabour the point, I have said it once, I have said it twice and I say it a third time, my apologies. We can do it better the next time, and with that, Mr. President, I beg to move.

Hon. Senators: [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Mr. Chairman: All right. Senators, the Bill before us has 46 clauses?—48 clauses and three Schedules. I have circulated amendments from the Attorney General. Is everybody in receipt of those?

Hon. Senators: Yes.

Mr. Chairman: Yes? All right. And two—we need two? All right. So everybody has sight of the circulated amendments. Added to that and in the interest of efficiency we have the intention for further conversation on clauses 3, 46 and the Second Schedule from Sen. Mark. Yes, Sen. Mark.

Sen. Mark: Yes.

Mr. Chairman: Clause 3, 46 and the Second Schedule.

Sen. Mark: Yeah.

Mr. Chairman: And from Sen. Thompson-Ahye, 3, 18, 20 and 21. Correct? Yeah? Okay. Good. So we will now begin. Clerk.

Clause 1 ordered to stand part of the Bill.

Clause 2.

Question proposed: That clause 2 stand part of the Bill.

2. Delete the definition of “dangerous weapon” and substitute the following definition:

“dangerous weapon” means any—

- (a) explosive;
- (b) incendiary device;
- (c) firearm;
- (d) gas;
- (e) weapon;
- (f) glass of any description;
- (g) object that can be used as a missile; or
- (h) instrument, article or material which can be used to—
 - (i) maim, disfigure, disable or cause bodily harm or death to a person;
 - (ii) render a person temporarily paralyzed or unconscious; or
 - (iii) cause damage to property;

Mr. Chairman: AG.

Sen. Armour SC: Thank you very much, Mr. Chairman. I propose an amendment to clause 2 of the Bill to the definition of the term “dangerous weapons”. That is to be found at page 13 of the Bill. The amendment has been circulated, and in a nutshell I touched on it in my wind up. The original clause (g) which had indicated the word “instrument” has been

deleted. That “instrument” has now been taken down to be part of (h), so that the definition of “dangerous weapons” is deleted. A new definition in “dangerous weapons” means:

- (a) explosive;
- (b) incendiary device;
- (c) firearm;
- (d) gas;
- (e) weapon;
- (f) glass of any description;
- (g) object...”—et cetera, or—

And then this is the substance of the amendment:

- (h) instrument, article or material which can be used to—
 - (i) maim...—et cetera,
 - (ii) render a person temporarily paralyzed...—et cetera—or
 - (iii) cause damage to property;

So in a nutshell it is to clean up the meaning of that definition, and I thank Sen. Dillon-Remy once again.

Mr. Chairman: Okay? All right. If there are no further comments.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3.

Question proposed: That clause 3 stand part of the Bill.

Mr. Chairman: I will start with Sen. Mark.

Sen. Mark: Mr. Chairman, I suggested during my contribution that we should have, at least, not one daily newspaper being used to communicate whatever decisions taken between the LOC and the other agencies surrounding it as it relates to matters involving the public interest, but we

should try to widen the scope of access to information by including a second daily. I am suggesting that we consider the proposal.

Mr. Chairman: Sen. Richards.

Sen. Dr. Richards: Thank you. I support Sen. Mark's suggestion. In the age where more than 60 people are known to get their information online, it is counterintuitive to limit the notice as published in the *Gazette* and only one newspaper in daily circulation as reaching enough people to apprise them of this upcoming important event.

Mr. Chairman: Attorney General.

Sen. Armour SC: Thank you. Thank you, Mr. Chairman. First of all, I will just point to the language of clause 3 because it is instructive that clause 3 speaks of:

“...notice published in the *Gazette* in at least, one newspaper...”

So it does not say “only one newspaper”. The option therefore exists within the language as used for the organizers or those who wish to purvey the information wider than is captured here, to do so. So that while I accept the submissions of Sen. Richards that, you know, we have more than—there are daily newspapers and there is online, et cetera, the language at clause 3(1) does not prohibit that, it is not limit the circulation. It simple says, “at least one...newspaper”. So that I do not think that there is any need to amend, and there will also be the additional cost of promoting it beyond what is provided in here. That is not something that we wish to visit certainly on any local producers unnecessarily without the level of consultation that we very exhaustively went through in the drafting of this Bill.

Mr. Chairman: Sen. Mark.

Sen. Mark: I do not know what exhaustive consultation went through

because that was the very provision that was in the 2007 law. So what I am suggesting is that let us stick, if you are talking about, “at least one” and the Attorney General is saying that whoever is involved in it would have some discretion to determine whether it should be two, okay.

I would just like to suggest for his consideration, change the language to at least two, so it is pellucidly clear that you have to go with at least two and I think that would solve the problem. So then he is talking about money. I do not know if money—is the Government broke? I do not understand how money comes in here, because we are communicating with the public on a very important event that could really impact on their mobility and their rights, and we are talking about money, from what I am hearing. So, Mr. Chair, that is my final submission to you.

Sen. Armour SC: In at least two newspapers in daily circulation.

Mr. Chairman: Okay. Somebody—Sen. Thompson-Ahye.

Sen. Thompson Ahye: I did suggest, because most people do not read newspapers anymore that, at least, we could have a television advertisement on the Government television. It is a short—because it is such a short window of opportunity, it would not be over an extended period of time. It is almost upon us, you know. It is June, tomorrow is May.

7.15 p.m.

Sen. Armour SC: Through you, Mr. Chair, may I be permitted to ask this question? In the digital age in which we live now—and it goes to Sen. Dr. Richard's point of online—are not all newspapers now daily online? So that it is not just a question of buying the physical newspaper, but they are all online. So I think that at least two newspapers in daily circulation, accepting that these are all online, will meet the concern which Sen. Richards has

pointed to.

And I do not necessarily accept, with respect—I am always very careful to disagree with my learned friend Sen. Thompson-Ahye, but I do not accept that most people do not read newspapers. I think most people still do read newspapers. More of them perhaps now read them online than the actual physical hard copy. I think the term “in at least two newspapers in daily circulation” can address the concerns that has been articulated. I am prepared to accept that.

Mr. Chairman: Okay. So if there are no more comments, I shall now put the question. Hon. Senators, the question is that clause 3 be amended as follows:

In subsection (1), delete the words “one newspaper” and substitute the words “two newspapers”.

Those in favour say, “Aye”. Those against say, “No”. I think the ayes have it. Hon. Senators—

Sen. Thompson-Ahye: [*Inaudible*]—clause 3?

Mr. Chairman: Huh?

Sen. Thompson-Ahye: You said clause 3?

Mr. Chairman: I said subsection (1). I will read it again.

Sen. Thompson-Ahye: All right, fine, go ahead then.

Mr. Chairman: Sen. Thompson-Ahye, so you have a proposed amendment for clause 3 as well, right?

Sen. Thompson-Ahye: For 3(3)(b).

Mr. Chairman: Okay. So we will take that. We will take that and then we will do the whole thing before I put the question. So, Sen. Thompson-Ahye?

Sen. Thompson-Ahye: Yes, 3(3)(b), “may comprise”.

Sen. Armour SC: “May comprise” instead of “may be comprised of”.

Sen. Thompson-Ahye: Or “may be composed of”. So either “composed of” or “comprise”.

Sen. Armour SC: I would be happy with deleting the word “be” and changing the word “comprised” to the present continuous “comprise”. So it will say, “may comprise of two or more”.

Sen. Thompson-Ahye: All right.

Mr. Chairman: All right. That is okay, Attorney General?

Sen. Armour SC: Yes. Thank you, Mr. Chairman.

Mr. Chairman: Okay. So I shall be put the question. Hon. Senators, the question is that clause 3 be amended as follows:

In subsection (1), delete the words “one newspaper” and substitute the words “two newspapers”.

And:

In subsection (3)(b), delete the words “may be comprised of” and substitute the words “may comprise”.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clauses 4 to 8 ordered to stand part of the Bill.

Clause 9

Question proposed: That clause 9 stand part of the Bill.

Mr. Chairman: Attorney General.

Sen. Armour SC: Thank you, Mr. Chairman. The amendment which is proposed to subsection (3), and again, I pay tribute—Sen. Teemal, in his contribution, referred to the fact that the word “licensee” in clause 9(1)(j) was not defined. And in recognition of that—and I am grateful for Sen.

Teemal for that very astute observation, because “sublicense”, “licensed user” is defined but the word “licensee” is not. So we propose to:

Delete subsection (3) and substitute the following:

- (3) For the purposes of subsection (1) –
- (a) “duty” includes any tax chargeable...

—which is already the existing part of subclause (3), and then there will be introduced a “(b)”, which will say:

- (b) “licensee” means an official sponsor, official supplier, official broadcaster or other media or commercial representative appointed and approved by ICC or IBC in connection with the hosting of CWC 2024.

That is the proposed amendment.

Mr. Chairman: Sen. Vieira?

Sen. Vieira SC: Thank you, Chair. AG, I understand the thinking there but I want to urge caution. The only reference to “licensee” in the entire Bill, is found just here, and it refers to clause—is it 9(1)(j)? The part that says:

“...that the licensee intend to distribute as promotional items and products of the licensee...”

Now, I think it refers—I am not seeing the other point. But in intellectual property law, licensees play a very important role and they will crop up. So the Act references, for example, Copyright Act, Industrial Designs Act, and telecommunications with media. I am concerned that by putting the “licensee” definition too widely, you may inadvertently be impacting those legislations—those Bills, and it might also negatively impact on already defined terms with “licensed user” and “designated user”.

So I would like to suggest that you couch it. There is a Preamble, that

you could say that “for purposes of this section”—yeah? So “for purposes of this section, licensee means an official”—blah, blah, blah. So it would not be a wide definition that will impact other licensees, but just for—

Sen. Armour SC: So if I understand you—may I please, Mr. Chair? If I understand you, Senator, subsection (3) would read, “for the purposes of this section”, deleting the words “subsection (1)”, and then we introduce the definition of “licensee” in (b)?

Sen. Vieira: Yeah.

Sen. Armour SC: I would be prepared to accept that.

Sen. Vieira SC: Because this is only time it appears and you really want to qualify it to this and—

Mr. Chairman: Okay. So, hon. Senators, the question is that clause 9 be further amended as follows:

Delete subsection (3) and substitute the following subsection:

For the purposes of this section –

- (a) “duty” includes any tax chargeable on the importation of goods into Trinidad and Tobago; and
- (b) “licensee” means an official sponsor, official supplier, official broadcaster or other media or commercial representative appointed and approved by ICC or IBC in connection with the hosting of CWC 2024.

Those in favour say, “Aye”. Those against say, “No”. I think the ayes have it—

Sen. Dr. Richards: [*Inaudible*]

7.25 p.m.

Mr. Chairman: Sen. Dr. Richards.

Sen. Dr. Richards: Just a point of clarification, and I know that the entire clause is circumscribed by 9(1), notwithstanding any provision in any law to the contrary. Just for my clarity and I know the exemption on the Import Duty applies to 9(1)(b), food, food supplements and beverages, and I know this is in keeping with international standard, is there an agency that is going to be monitoring and regulating the food, food supplements and beverages to see that they meet standards in Trinidad and Tobago, for example, if they import something that is contrary to our laws or may harm someone?

Sen. Armour SC: Sen. Dr. Richards, I am instructed that the term “food, food supplements and beverages” in section 9(1) is defined in the host agreement, and in the agreement with the ICC, our Ministry of Health discharge the responsibility to manage this.

Sen. Mark: Mr. Chairman, through you, to the Attorney General, because of the inadequacy of the Chemistry, Food and Drug Division not having any serious lab facilities do you think that we are putting the public at risk when we leave everything in the air and to some document that is not before us, which is the host agreement? I am just asking the question, Mr. Chairman, whether the Attorney General is satisfied that the public, the risk posed to the public in terms of safety and health is satisfied in the host agreement based on the provision that was outlined by your good self? Do you feel satisfied and comfortable with that?

Sen. Armour SC: Thank you, Chair. First of all, I do not accept the premise that we do not have the capacity to manage this particular issue in the Ministry of Health, and to the extent that the host agreement is an agreement that is solemnly signed, as is between the ICC and the CARICOM governments. I think that we are more than secured and we are

not putting the public at risk. Thank you.

Mr. Chairman: Okay? So Senators, let us try this again?

Question put and agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

Clauses 10 to 17 ordered to stand part of the Bill.

Clause 18.

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

Mr. Chairman: Sen. Thompson-Ahye.

Sen. Thompson-Ahye: I thought the \$12,000 would be too high, so I do not know if you are locked in by some regional agreement that you must keep it that high.

Sen. Armour SC: Thank you, Chair. I simply give the assurance to Sen. Thompson-Ahye that clause 18(3) casts a responsibility on the court trying the summary conviction under the Interpretation Act the fine of \$12,000 is a ceiling, so it is within the discretion of the Magistrate depending on the circumstances.

Sen. Thompson-Ahye: So the Magistrate again then?

Sen. Vieira SC: Chair.

Mr. Chairman: Sen. Vieira.

Sen. Vieira SC: I was just wondering, for purposes of this section, say Jumbo wanted to sell his nuts, or a snow cone man, is there some process under this section whereby local vendors can get that written authorization?

Sen. Armour SC: May I, Chairman?

Mr. Chairman: Yes.

Sen. Armour SC: So Sen. Vieira in response to your question, of course this would not apply just to Jumbo, but it would apply to all prototypes of

his ilk.

Sen. Vieira SC: I just used them as a ready, recognizable icon.

Sen. Armour SC: Yes, indeed. The Ministry of Sport is actually in the process of having consultations with the vendors who normally work within the venues that are identified and is arranging to give them first preference so that they will have the first preference to walk, sell, offer display, et cetera. That is a work in progress.

Mr. Chairman: Okay.

Sen. Mark: Sir, may I ask something?

Mr. Chairman: Sen. Mark.

Sen. Mark: AG, through the, Chair, is there a fee attached to that exercise or is that gratis pro bono, as small vendors, or do they have to pay a fee?

Sen. Armour SC: I am told, Chair, through you to Sen. Mark, there is a small application fee, I am not able to tell you what that is but the emphasis is on small application fees, yes, which would be the norm in the circumstances.

Question put and agreed to.

Clause 18 ordered to stand part of the Bill.

Clause 19 ordered to stand part of the Bill.

Clause 20.

Question proposed: That clause 20 stand part of the Bill.

Mr. Chairman: Sen. Thompson-Ahye.

Sen. Thompson-Ahye: Clause 20(2):

“A person who fails, without reasonable cause to comply with a requirement under subsection (1) or who, in purported compliance with such a requirement, furnishes information that the person knows

to be false or misleading in a material particular commits an offence and is liable on summary conviction to a fine of six thousand dollars, and may be—

- (a) ordered by a police officer to leave the CWC 2024 venue; or
- (b) removed from the CWC 2024 venue by a police officer where that person refuses to comply with an order under paragraph (a)".

It reads to me awkward, I am not sure what is intended, but because you talked summary conviction, all right, to me that is the ultimate, that is the end. So at what point you are going to be ordered by a police officer to leave or remove from the venue and then you are arrested and go to court, how does it work?

Sen. Vieira SC: You want to change the order around?

Sen. Armour SC: No, I do not find it as awkward, through you, Mr. Chair, I do not find it as awkward as all of that, Senator. You commit an offence.

“A person who fails, without reasonable cause to comply...or who, in purported compliance...furnishes information that the person knows to be false...is liable on summary conviction...”

So you are not being convicted on the spot. The point is you have potentially committed the offence additional to which, because you have contravened the section you are required either to leave or you are required to be removed from that spot to another. There is no inconsistency between either being required to leave the entire venue or part of the venue, and the fact that you may very well receive a charge from a police officer, you end up before the Magistrate's Court, you are tried and you are then found guilty and fined up to the limit of \$6,000. I do not see an inconsistency, but

ultimately that will be a matter of interpretation for the Magistrate who I have no doubt would be well trained to interpret the legislation.

Sen. Thompson-Ahye: Why are you tying up the Magistrate's head, when you could have "ordered by a police officer to leave the scene". Because that may be the only remedy, you know. That, and then the person is liable on summary conviction, the person might never be—I do not think the intent merely is that the person that all of those three things could apply? I think you may be ordered to leave the venue, or you may be removed by a police officer, where you refuse to comply, but then where does the arrest and fine come in? I am looking at the sequence, I find it offends my sensibilities.

Sen. Maharaj: Can I add to that that if a crime is suspected there is already a charge on that, if for example, disorderly behaviour or obscene language the officer may request, order that you leave, but there is a charge. Can you see the charge, and you go to court and whatever is the fine for that, we will apply?

Sen. Armour SC: May I?

Mr. Chairman: Attorney General.

Sen. Armour SC: Thank you, Chair. Responding—I think I have already responded to Sen. Thompson-Ahye—to Sen. Maharaj, no there is not already a charge under this. This has nothing to do with disorderly conduct, this has to do with a person furnishing information that that person knows to be false or misleading so there is not already a charge of disorderly conduct. This is a specific charge of the person unreasonable suspicion has been found to have falsely or mislead—to have provided information that that person knows to be false or misleading.

Sen. Maharaj: But that is not a summary offence already. If I do that to an

officer now, I am on the road and I give false information about my name and address, is there—I am just trying to find out, is that already an offence to which a fine or a jail term is attached?

Sen. Armour SC: There may be, through you, Chair, other circumstances in which persons providing false information or misleading information in other specific circumstances may be liable to a charge and to a fine. But it would be a recipe for statutory mayhem to leave an offence committed in this particular situation to be regulated by some other legislation that may be thought to apply. It is far more precise and consistent with good statutory provisions that the offence should be spelt out in the Act for the specific offence and made liable to a fine within the context of the legislation. I think it conduces to a more reasonable circumstance in which the person is charged, it conduces to a fairer situation because the person knows specifically what he is being charged with under section 20 of this particular Bill, if it becomes law. So it conduces to the fairness as well from the accused point of view.

Question put and agreed to.

Clause 20 ordered to stand part of the Bill.

Clause 21.

Question proposed: That clause 21 stand part of the Bill.

Mr. Chairman: Sen. Dr. Richards.

Sen. Dr. Richards: Thank you. Just for clarity, through you, Chair, to the AG, this 21(1), it relates to, if I am not mistaken, the organizers have the right to define the area that constitutes the grounds, and that may include areas close to or in proximity to, and does this contractual right of a person or owner mean a documented contractual right? Because we have very

creative advertising exercises in Trinidad and Tobago where people may have loose arrangements—

Mr. Chairman: Hon. Senators, just indulge me for a second to return to the Senate to execute the procedural?

7. 40 p.m.

Senate resumed.

Mr. President: Leader of Government Business.

PROCEDURAL MOTION

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Thank you, Mr. President. Mr. President, I beg to move that this Senate do continue to sit until the conclusion of the business at hand—

Mr. President: Start over.

Sen. The Hon. Dr. A. Browne:—inclusive—

Mr. President: Start over.

Sen. The Hon. Dr. A. Browne: Mr. President, in accordance with Standing Order 14(5), I beg to move that this Senate do continue to sit until the completion of the business at hand, inclusive of the matter on adjournment.

Question put and agreed to.

ICC Men's T20 Cricket World Cup 2024 Bill, 2024

Committee resumed.

Mr. Chairman: Sen. Richards.

Sen. Dr. Richards: Thank you, Mr. Chair, just to repeat for context. Does 21(1) refer to in instance A advertising structures on the specific venue or in the venue or in adjoining areas designated by the organizers as part of the general confines of the match venue. And does that refer to permanent

structures only or any structure that may end up on that land, because in the advertising world, in Trinidad and Tobago, people roll trucks and other temporary devices in as advertising medium or media, digital boards rolling on trucks and vans.

Mr. Chairman: Attorney General.

Sen. Armour SC: Yes, thank you. Yeah, first of all on the grammatical language of section 21(1) Sen. Richards, the land that is contemplated is land within a CWC 2024 venue. That is in the third line. So you may have a large, you may have this desk as a bit of land but the venue is only this area here. So this prohibition will apply to the posting of advertisements or structures or mobile advertisement displays that drive in and park within that venue and those would be prohibited with the consent of the owner in a contract that he enters into with the CWI.

Sen. Dr. Richards: Thank you. Through you, Mr. Chair, if I could continue. This is why clarity is so important where these things are concerned. There was a lot of reference to the last time we hosted international conference in 2007; a lot has changed since then. We have one month to apprise the public of what the rules and regulations and laws are and we do not want the public running afoul inadvertently to what we are attempting to institute here through law.

Sen. R. Armour SC: And all I would say in response to that Senators, we have been working, and I express my gratitude to the Ministry of Sport and Community Development. We, the Attorneys General and legal legislative drafting department of the Attorney General's Department, we have been working very closely and collaboratively with the Ministry of Sport and Community Development, and I am confident that they have a plan in place

once this becomes law to educate the members of the public of the scope and purpose of this legislation once it becomes law.

Mr. Chairman: Sen. Vieira.

Sen. Vieira SC: Just a question. So, I know that in ambush marketing, say for example, the venue, the promoters have a contract with Coco-Cola and I am Pepsi-Cola. So I want to get Pepsi-Cola into the view of the public. So I go to a house nearby and I put up a Pepsi-Cola sign and a Pepsi-Cola billboard. The legislation—the intent of the legislation is that that would be prohibited. I could not engage in that kind of ambush marketing. But when I look at section 21(1), it says:

“Subject to existing contractual rights...”

So if, for example, I already have a contract with Pepsi then I would be free to have that advertisement even though it may conflict with an official sponsor of the event. I am just reading it that way because smart people may rush right now and get into contracts with all kinds of suppliers.

Sen. Armour SC: Just one minute, please. Two points through you, Chair, two points in response to Sen. Vieira. One is, again, going back to the answer I made to Sen. Richards. The venue is the focal point. And one would expect what the CWC organizers are going to have to undertake is to put up sufficient barricades for visibility around the venue so that the visibility beyond the perimeters of the venue is not unrestricted. And in any event the point is that, you know, this is a section that is regulating what can happen on or within the venue so it does not prohibit somebody next door—let us take an example that perhaps all of us can relate to.

The Queen's Park Oval, on the opposite side of the road there, I forget the name of it now, but a very popular pub that we would all go to when the

cricket is finished playing. If somebody in that pub were to put up a large billboard they cannot be prohibited by this legislation from doing that. But, the venue owner of the Queen's Park would probably have the CWC persuade them at some cost to erect visibility barriers so that the advertisement in the pub next door cannot be viewed. That is—

Sen. Dr. Richards: Cricket Wicket closed down.

Sen. Armour SC: Cricket Wicket. “Ahh”, that is it.

Sen. Vieira SC: Yeah, Cricket Wicket.

Sen. Armour SC: About 20—

Sen. Vieira SC: And then you also have that place that sells the geera pork. But if you look at areas reasonably required for the staging of a CWC 2024, activity it says:

“(b) may be comprised of two or more noncontiguous areas...”

What does that mean? This is at section 3(3).

Sen. Armour SC: What section is that?

Sen. Vieira SC: Section 3(3), where we are talking about the declaration of a venue. Because the venue, it seems to me, is not just the actual venue but it could also be what surround the venue.

Sen. Maharaj: But do we need to define venue? And does it include all the practice grounds, where the practice matches and so on, are taking place?

Sen. Armour SC: Well, in answer to that, I mean we have to start with section 3(1) (a), because that is the cross-reference that comes across from subsection (3). And what we are told by section 3(1) (a) is that:

“The Minister, after consultation with the Committee may by public notice published in the *Gazette* and in at least one newspaper...”

(a) declare any area within the control of the Committee or

CWI or both, that is reasonably required for the staging of a CWC...activity...”

So the two noncontiguous areas may be declared to be that, and in that case it falls within the definition of venue. That is my understanding.

Sen. Armour SC: Yes.

Sen. Vieira SC: That is my understanding. That is how I see (2) and here is the rub. So I have a property that is in one of these noncontiguous areas that falls within that declaration. But I have a pre-existing contract with somebody else. The point is I would be free. How they could do that subject to existing contractual rights? So I could have—I am just throwing all—

Sen. Armour SC: Well all I would say to that Sen. Vieira is that one of the other benefits that this legislation may very well bring is some work for bright lawyers.

Question put and agreed to.

Clause 21, ordered to stand part of the Bill.

Clauses 22 to 26 ordered to stand part of the Bill.

Clauses 27 to 38 ordered to stand part of the Bill.

Clauses 39 to 45 ordered to stand part of the Bill.

Clause 46.

Question proposed: That clause 46 stand part of the Bill.

Mr. Chairman: Sen. Mark.

Sen. Mark: Yes, Mr. Chairman, seeing that we do not have any regulations before us at this time, and if we have to adopt this negative process, I think you might be falling behind time. So I think it is better you bring it affirmative so that we can debate it immediately. So I think we should

delete “negative” and replace it with “affirmative” so that the Government could speed up these regulations, because many areas of this Bill, as you know that are very troubling are relying exclusively on the regulations. So I would suggest that we get the Government to support the affirmative and delete negative, replace it with affirmative. Mr. Chairman, that is my suggestion.

Sen. Armour SC: Thank you, Chair, through you to Sen. Mark. The operative word, the most important operative word in section 46(2) is the word “may” which follows the words “the Minister”.

“The Minister may make regulations...”

It could very well be that we get to the sunset clause of this legislation and the discretionary power given by this subsection to the Minister does not arise to be exercised. So that I think that your first premise to speed up might be contrary to your intent to engage in any debate now at 7.53 p.m. on an affirmative resolution. But in any event I decline your invitation to change the word “negative” to “affirmative”. Thank you.

Sen. Mark: Well I maintain my position.

Question put and agreed to.

Clause 46, ordered to stand part of the Bill.

Clauses 47 to 48 ordered to stand part of the Bill.

Schedule 1 ordered to stand part of the Bill.

7.55 p.m.

Second Schedule.

Question proposed: That the Second Schedule stand part of the Bill.

Second In Part II, delete item 4 and substitute the following
Schedule item:

“4. Folding chairs not intended for mounds”.

Mr. Chairman: Attorney General and Sen. Mark. So, Attorney General.

Sen. Armour SC: Thank you very much, Mr. Chairman. I have circulated an amendment, Part II of the Second Schedule, paragraph 4, “folding not intended for mounds”. I wish to delete that and to substitute with “folding chairs not intended for mounds”.

Mr. Chairman: Sen. Mark, your proposed amendment.

Sen. Mark: Yes. Mr. Chairman, I am just trying to clarify. When we talk about musical instruments being restricted, are we talking about the steelpan; are we talking about the drums, like you know people will come with a drum to engage in drumming and so on? What are we talking about here? Or are these things going to be part of the regulations?

Sen. Armour SC: Thank you very much, Mr. Chairman. The language of item 2 read carefully answers Sen. Mark.

“Musical instruments that cannot fit under the venue’s seat, or on a person’s lap or is louder than 70...”—decibels.

The point is that other than—

Hon. Senators: [*Crosstalk*]

Sen. Armour SC: Thank you. The point is that other than the ornamental steelpan that one might buy in the airport, it is very unlikely that a steelpan could fit under the venue’s seat. It may very well be that it could fit on the lap, but the question is: Would it be louder than 70 decibels in playing? So I think that the answer to Sen. Mark’s question is that No. 2 will be subject to interpretation and it may very well be that when persons arrive in the venue with an ornamental steelpan that can fit under their seat they may be

permitted, or if they come with one and the tenor is tested, that can fit on the lap, and the tenor is tested at the entrance and the measurement says it is more than 70 decibels, they will not be permitted to take it in. So it is really a question of interpretation.

Mr. Chairman: Sen. Richards.

Sen. Dr. Richards: Thank you, Chairman.

Mr. Chairman: Members. Members, Members, it is bit loud. I would like to hear Sen. Richards. Sen. Richards.

Sen. Dr. Richards: Chairman, through you, to the hon. Attorney General. Now, we have heard contributions from the hon. Minister of Tourism, Culture and the Arts about the opportunity for us to showcase ourselves to the world. And now we are hearing with this clause in the Schedule, that someone who has not been identified is going to interpret for us in Trinidad and Tobago whether our national instrument is appropriate to be taken into a venue to display our culture. I find that hard to swallow. I find it very, very difficult to swallow given that part of what this is touted to benefit is the country. So, one, our national instrument has to be tested and it may be too loud, over 70 decibels for someone; it was not designed to fit under a chair; and it was not designed to fit on somebody's lap. So that clause is to me offensive to the culture of Trinidad and Tobago—highly offensive. Thank you.

Hon. Senator: What about a conch shell?

Sen. Dr. Richards: No, I will stick with the national instrument which I do believe may be debated soon to be certified. So I find this inclusion highly offensive.

Hon. Senators: [*Crosstalk*]

Sen. Armour SC: Thank you, Chair. So going back to my original answer to Sen. Mark, but in answer to Sen. Richards, I can understand the concern, the passion of Sen. Richards, and I think that like all legislation, this legislation is going to have to be interpreted in a practical manner and reasonably. So, for instance—and always legislation must be read as a whole, and if we were to take just this page alone as the whole, of course, it is not. But the Second Schedule has two parts and Part I says, “Prohibited Items” and that is clear. You cannot bring it on at all. Part II says, “Restricted Items”. That immediately imports a discretion on the managers as to what will be allowed on or not. The steelpan—

Hon. Senator: *[Interruption]*

Sen. Armour SC:—if I may just finish so that I do not lose my trend of thought.

The steelpan, given its size in a seating environment within the aisles of seating will have to be measured by the person exercising the discretion to restrict them, whatever it is, whether it will be steelpan or otherwise, for OSHA requirements and others in terms of access among aisles. It does not mean—given that it is not a prohibited item, it is a restricted item, it does not mean that on an appropriate application someone could not assemble at the entrance to the venue and have a couple steelpans there to welcome the visitors. Because it says, “restricted”, it does not say “prohibited”. So again, it is going to have to be read in its totality and the discretion of the venue managers will be applied.

Sen. Vieira SC: Hon. AG, in fact, I was thinking along similar lines.

Because if it is restricted, it gives us a little leeway—

Sen. Armour SC: That is right.

Sen. Vieira SC:—when you are doing the regulations, to allow for a small pan side, not only just for the tenor pan, to be able to come to the venue—

Sen. Armour SC: And a tassa.

Sen. Vieira SC:—and screen them and provide for it. It is not an outright prohibition but it certainly reflects the flavour of our people and our culture.

Sen. Armour SC: And I think all of that will be brought to bear as this is implemented over the next couple of months, and certainly if we were to get to producing regulations for negative resolution that would be a consideration that would certainly inform the making of the regulations.

Sen. Dr. Richards: Thank you very much.

Sen. Armour SC: Thank you, Sen. Richards.

Question put and agreed to.

Second Schedule, as amended, ordered to stand part of the Bill.

Third Schedule ordered to stand part of the Bill.

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

Senate resumed.

Mr. President: Attorney General.

Sen. The Hon. Armour SC: Mr. President, I wish to report that the ICC Men's T20 Cricket World Cup 2024 Bill, 2024, was considered in committee of the whole and approved with amendments. I now beg to move that the Senate agree with the committee's report.

Bill reported, with amendment.

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

Sen. Mark: No. A division please.

The Senate divided: Ayes 23

AYES

Browne, Hon. Dr. A.

Armour SC, Hon. R.

Gopee-Scoon, Hon. P.

Sinanan, Hon. R.

Hosein, Hon. K.

West, Hon. A.

Mitchell, Hon. R.

Cox, Hon. D.

Bacchus, Hon. H.

Singh, Hon. A.

Ibrahim, Dr. M. Y.

Sagransingh-Sooklall, Hon. R.

Sookhai, Hon. R.

Lezama-Lee Sing, Mrs. L.

Hislop, L.

Richards, Dr. P.

Vieira SC, A.

Teemal, D.

Thompson-Ahye, Mrs. H.

Hutchinson, Prof. G.

Patasar, Dr. S.

Maharaj, S.

Francis, H.

The following Senators abstained: W. Mark, Ms. J. John, Mrs. J. Lutchmedial-Ramdial, D. Nakhid, D. Lyder and A. Roberts.

Question agreed to.

Bill accordingly read the third time and passed.

Hon. Senators: [*Desk thumping*]

Mr. President: Leader of Government Business.

ADJOURNMENT

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

Mr. President: Hon. Senators, before I put the question on the adjournment, leave has been granted for one matter to be raised on the Motion for the Adjournment of the Senate. Sen. Mark.

8.10 p.m.

Budapest Convention on Cybercrime (Government's Status Report)

Sen. Wade Mark: Thank you, Mr. President. The matter deals with the need for the Government to provide a status report on the country's accession to the Budapest Convention on Cybercrime. It was the Attorney General who indicated to this Parliament, the Senate some time ago that the Trinidad and Tobago Government requested to access the Budapest Convention, which was granted by the Council of Europe sometime in October of 2021. I think it was around the 20th of October. That was some two years and five months ago.

Mr. President, since then, tiny Grenada has also sought access, which was granted by the Council of Europe. And, Mr. President, would you believe that Grenada sought access on the 7th of February, 2024, and that access was granted and accepted by the Council of Europe a few days later?

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So Grenada has access, within two month of making the request, to the Budapest Convention. Our country, whose Attorney General gave us an undertaking that the Government had made the request to access the Budapest two years and five months ago, Trinidad and Tobago is yet to access the Budapest Convention, or accede to the Budapest Convention. The reality is, it is shameful, with all these cybercrime attacks and assaults by criminal forces operating outside of our jurisdiction, that the Government has failed, after two years and five months, to accede to the Budapest Convention.

Mr. President, you know Trinidad and Tobago has been the subject, the victim, the candidate of severe incursions and cybercrime attacks? The Attorney General's Office was attacked, TSTT was attacked, then you had Courts, PriceSmart—

Sen. Lutchmedial-Ramdial: SWRHA.

Sen. W. Mark:—SWRHA, somebody told me even the Parliament got attacked, I am not too sure. But, Mr. President, the reality is that the—

Sen. Roberts: ANSA McAL.

Sen. W. Mark:—ANSA McAL got attacked, Massy also. So, Mr. President it is widespread, it is large scale, it is far reaching, and here it is the Budapest Convention gives us the opportunity to deal with this issue and the Government of Trinidad and Tobago is sleeping on the job. They are sleeping on the job, Mr. President, and we know that this particular situation has certain human and economic consequences, and we need to recognize that the Government of Trinidad and Tobago has the responsibility to address this issue because it has national, regional and international

consequence for our security and our peace. It is a threat to our very existence as a nation.

So we should not be taking this issue of cybercrime lightly, Mr. President. And I am very, very ashamed that our Attorney General, having reached out—the Council of Europe did not reach out to us. The Government reached out to the Council of Europe seeking access to the Budapest Convention, and the Council of Europe said, no problem, and they were supposed to accede but they have not acceded two years and five months later.

Sen. Roberts: How long?

Sen. W. Mark: Two years and five months later, having made the request, they have not acceded. And as I said, Mr. President, tiny Grenada, two months ago, made the same request and just a couple days ago, they got the right to accede to the Budapest Convention. Two months after making the request and we are two years, five months after. And, you know, Mr. President, it pains me to bring this matter to this Parliament, when the Attorney General owes this Parliament an apology, an explanation, for why we could not do what Grenada did in a short period of time.

Hon. Senators: [*Desk thumping*]

Sen. W. Mark: What is holding up the Government? We need cybercrime legislation, right? And the Budapest Convention offers us the best chance because it addresses human rights issues, Mr. President.

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

Sen. W. Mark: Human rights issues. So we do not want the Government to bring any kind of legislation that would offend our rights. The Budapest

Convention is the best opportunity to safeguard the citizens' rights whilst we are protecting ourselves against cybercrime criminals. That is what we are about.

So, Mr. President, I have brought this matter. I hope I do not have to come back here again. I am hoping that the Attorney General could rise and say, "We apologize. We have taken steps to address this matter and that this matter has been addressed. And therefore, Sen. Mark, hear what is happening, you have not had your information updated. Here is the updated information. We have acceded to the Convention and we expect legislative action to take place within a short time, so that we can put ourselves on a solid footing." Mr. President, I thank you—

Hon. Senators: [*Desk thumping*]

Sen. W. Mark:—and all we are seeking here today is a status report from the Government on its ability to accede to the Budapest Convention. We are not arguing anything else, except the Government giving us a status report on this whole convention that we were supposed to be part of in the last two years and five months. Mr. President, I thank you.

Hon. Senators: [*Desk thumping*]

Mr. President: Leader of Government Business.

Hon. Senators: [*Desk thumping*]

The Minister of Foreign and CARICOM Affairs (Sen. The Hon. Dr. Amery Browne): Thank you, Mr. President. Sen. Mark framed his submission on this matter on the adjournment on a platform, that unless or until a country accedes to the Budapest Convention, it means that nothing is being done to treat with cybercrime. He has framed everything around

accession and vulnerability. And, Mr. President, I submit that nothing could be further from the truth and the Government of Trinidad and Tobago, as has been presenting in this Chamber and this Parliament on several occasions over the last few months, has been taking action and is taking action with respect to improving the safety of government systems and national systems from cybercrime attacks, and has learned from the attack that occurred on the Office of the Attorney General and Ministry of Legal Affairs.

8.20 p.m.

The Minister of Digital Transformation has stood in this House in response to questions, and other mechanisms raised by the same Sen. Mark and other Senators, and presented detail on actions taken by the Government since that particular attack. So, I want to, from the onset, indicate that Sen. Mark has framed his submission on a false premise. Mr. President, that notwithstanding the Budapest Convention on Cybercrime, or as fully spelt out, the Council of Europe Convention on Cybercrime, is a significant international attempt to deal with criminal offenses that occur through use of the Internet, and through computer networks.

Just by way of background, this Convention was adopted in November 2001, and entered into force three years later on July 01, 2004, and we agree, it represents a breakthrough in international efforts to combat cybercrime. And it really provides a framework for international synchronization and cooperation with respect to harmonizing legislation between states that are party to the Convention itself. Trinidad and Tobago, just like every other country in the modern world, has to confront challenges posed by cybercrime and we are doing so. As a member of the international

community, we have a vested interest in the working with others to address these challenges, and enhance our cyber security capabilities.

The prospect of acceding to the Budapest Convention holds a number of potential benefits for Trinidad and Tobago. We would gain further access to the network of international partners that cooperate in combating cybercrime. So, we certainly see the benefits, we also recognized that acceding to the Convention will further assist the country in aligning national legislation with the established international standards on cybercrime, and that such harmonization is important and welcomed. The convention offers opportunities for the country to enhance technical capabilities and expertise in dealing with cybercrime. So, it is an additional facility that we would wish to benefit from. Mr. President, acceding to the Budapest Convention would also enhance Trinidad and Tobago's overall reputation as joining as a member of the responsible community of global members committed to addressing cyber security challenges.

The Government, as I have indicated, is fully cognizant of the benefits of accession, and Cabinet has agreed that Trinidad and Tobago would initiate the formal process of accession of the Republic of Trinidad and Tobago to the Budapest Convention. To that end, in June 2001, Trinidad and Tobago informed the Council of the Europe of the interest of our Government in acceding to the Convention. The Council of Europe was informed that Trinidad and Tobago legislation, the Computer Misuse Act, Chap. 11:17 is already deemed to be broadly in line with the Convention. Later that year, in October 2001, the Council of Europe did acknowledge Trinidad and Tobago's expression of interest in acceding to the Budapest

Convention, and informed of the decision to invite this country to accede as a result. And this is important for Sen. Mark to take note.

Trinidad and Tobago was granted a five-year window, so he mentioned two years and so on, I am not sure where he got that. A five-year window was granted starting from the date of invitation on October 20, 2001. And I know Sen. Mark has his strengths and weaknesses, I hope his mathematics would suffice to recognize that we are well within the five-year window. And I am not being uncharitable to the goodly Senator, but just to guide him, if he is asking for a status report and timelines, we are well within the five-year window to complete the necessary procedures, including domestic legislation toward accession. The amendment to the Computer Misuse Act, Chap. 11:17 is being pursued by the relevant agencies of government, to ensure that our legislation would be updated to meet the requirements of the modern digital world, and to be in alignment with international standards and best practice.

It is anticipated upon the completion of that process, Trinidad and Tobago would be in a position to accede to this important Convention well within the timeframe that has been availed to us in the collaboration with the Council of Europe. The Ministry of Digital Transformation, and the Office of the Attorney General of Trinidad and Tobago, and other responsible entities continue to treat with this matter as this Government takes all of its responsibilities seriously. Thank you, Mr. President.

Hon. Senators: [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 8.26 p.m.