



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

3rd Session – 11th Parliament (Rep.) – Volume 15 – Number 14

OFFICIAL REPORT (HANSARD)

THE HONOURABLE BRIDGID ANNISETTE-GEORGE
SPEAKER

THE HONOURABLE ESMOND FORDE
DEPUTY SPEAKER

Friday 17th November, 2017

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(TYPESET BY THE HANSARD STAFF, PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, CARONI,
REPUBLIC OF TRINIDAD AND TOBAGO— 2022)

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*Leave of Absence**Friday, November 17, 2017***HOUSE OF REPRESENTATIVES***Friday, November 17, 2017*

The House met at 1.30 p.m.

PRAYERS[MADAM SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Madam Speaker: Hon. Members, hon. Camille Robinson-Regis, MP, Member for Arouca/Maloney and Mr. Ancil Antoine, MP, Member for D'Abadie/O'Meara, have asked to be excused from today's sitting of the House. Hon. Maxie Cuffie, MP, Member for La Horquetta/Talparo, has asked to be excused from sittings of the House, during the period November 17 to December 15, 2017. The leave which the Members seek is granted.

PAPERS LAID

1. Audited Financial Statements of the Deposit Insurance Corporation for the year ended September 30, 2016. [*The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young)*]
To be referred to the Public Accounts Committee.
2. Administrative Report of the National Entrepreneurship Development Company Limited for the period October 2014 to September 2015. [*Hon. S. Young*]
3. Ministerial Report of the Ministry of Labour and Small Enterprise Development to the First Report of the Joint Select Committee on Social Services and Public Administration Second Session (2016/2017), Eleventh Parliament on an Inquiry into the current level of violence among students in schools with particular focus on physical and cyber bullying. [*Hon. S. Young*]
4. Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the Third Report of the Joint Select Committee on National Security on an Inquiry into the Operations of the Trinidad and Tobago Forensic Science Centre and the Issue of DNA Sampling in Trinidad and Tobago. [*Hon. S. Young*]
5. Ministerial Response of the Ministry of Social Development and Family Services to the Third Report of the Joint Select Committee on Social Services

- and Public Administration on an Examination of Existing Arrangements and Possible Options for Regulating Geriatric Care Facilities/Old Age Homes. [*Hon. S. Young*]
6. Ministerial Response of the Ministry of Health to the Third Report of the Joint Select Committee on Social Services and Public Administration on an Examination of Existing Arrangements and Possible Options for Regulating Geriatric Care Facilities/Old Age Homes. [*Hon. S. Young*]
 7. Response of the Auditor General's Department to the Fourth Report of the Public Administration and Appropriations Committee on the Examination of the System of Internal Audit within the Public Service. [*Hon. S. Young*]
 8. Response of the Integrity Commission to the Fourth Report of the Public Administration and Appropriations Committee on the Examination of the System of Internal Audit within the Public Service. [*Hon. S. Young*]
 9. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) (No. 5) Order, 2017. [*Hon. S. Young*]
 10. Administrative Report of the National Flour Mills Limited for the year ended December 31, 2016. [*Hon. S. Young*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Sexually Transmitted Diseases

Mrs. Christine Newallo-Hosein (*Cumuto/Manzanilla*): Thank you very much, Madam Speaker. I have the honour to present the following report:

Fourth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the prevalence of Sexually Transmitted Diseases (STDs) amongst school students and into the general services administered to treat STDs in Trinidad and Tobago.

Commercial Banking Fees

Mr. Prakash Ramadhar (*St. Augustine*): Madam Speaker, I have the honour to present the following report:

Third Report of the Joint Select Committee on Finance and Legal Affairs on an Inquiry into Commercial Banking Fees in Trinidad and Tobago.

Police Service Commission

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. I have the honour to present the following report:

Fifth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into the Efficiency and Effectiveness of the Police Service Commission.

1.40 p.m.

PRIME MINISTER'S QUESTIONS

**Payments to Public Servants
(Money Borrowed)**

Mr. Fazal Karim (*Chaguanas East*): Thank you, Madam Speaker. With regard to statements made that the Government has to borrow money to pay public servants, could the Prime Minister indicate from whom these monies are to be borrowed, how much and over what period of time?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, recently we passed a budget in this House and on page 39 of the *Draft Estimates of Revenue* for 2018 one who took part in these proceedings would have seen that there is a programme for fiscal 2018 which is aggregated as follows: Domestic borrowing, \$2 billion; foreign borrowing, \$4.6 billion, and all of these borrowings are done by open requests for proposals. [*Desk thumping*]

Madam Speaker: Member for Chaguanas East, supplemental question?

Mr. Karim: Yes, Madam Speaker. Thank you very much. Hon. Prime Minister, is it possible for you to tell us since you have given us the figures, both on the domestic and the foreign market, as to who are the—from where are you getting the source of these funds?

Hon. Dr. K. Rowley: So far we have borrowed from local financial institutions with respect to the borrowings for fiscal 2018.

**Official Visit to China
(Withdrawal of Invitation)**

Mr. Rodney Charles: (*Naparima*): Thank you. Question 2 to the hon. Prime Minister. Could the Prime Minister state the precise factors which may have led to the withdrawal of the invitation earlier issued by the Chinese government with respect to his official visit scheduled for late November and early December 2017?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, there is no official visit to China, 2018, 2017 and, in fact, since there was no official visit at that time, there could be no withdrawal. The mischief that the Member is aiming to make is with respect to a conference which I had been invited to by the President of China subsequent to the Chinese Congress. Immediately after the Congress, I received an invitation to attend a multi-head conference led by the Chinese authorities. Apparently that conference has since been re-thought and reviewed and the event apparently is not taking place any longer and, therefore, since I have been invited to something which has been removed from the programme, clearly, there could be no withdrawal of invitation in that situation.

However, the Chinese Government has since invited me on an official visit to China and that is now being planned, and I anticipate that it will take place sometime in spring and the mischief of withdrawal of invitation should end here and stop embarrassing the Chinese. [*Desk thumping*]

Madam Speaker: Member for Naparima.

Mr. Charles: In the interest of total transparency, would the Prime Minister be prepared to make available to the citizens of the country, the official invitations by the Chinese Government?

Hon. Dr. K. Rowley: Madam Speaker, I would like to appeal to my colleagues on the other side, there are other ways of making political mischief. Leave the Chinese Government and people out of this. The Minister in the Office of the Prime Minister, in response to this mischief, provided to the media, the documentation. He indicated to them where we got the invitation from, number one, to the conference; number two, the official visit, and I cannot, for the life of me, see why any official in this country, especially a parliamentarian, would want to be so misrepresenting this matter and embarrass a major partner of Trinidad and Tobago. And I would answer no more questions on this matter. [*Desk thumping*]

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Madam Speaker, I would pose a question to the Prime Minister although he will answer no question on this matter. Is the Prime Minister indicating to the country that at the post-Cabinet press “buffing”, a press conference on a Thursday, an announcement was made of this invitation and between the Thursday to the Monday a part of the programme was cancelled or postponed? Is the Prime Minister telling the country that in three days this happened?

Madam Speaker: Member, I would not allow that as a supplemental question.

Hon. Dr. K. Rowley: Madam Speaker—

Madam Speaker: Prime Minister, I would not allow it as a supplemental question, please. Member for Chaguanas East.

**Establishment of Aluminium Industry
(Details of)**

Mr. Fazal Karim (*Chaguanas East*): Thank you very much, Madam Speaker, question No. 3: Could the Prime Minister state the name of the international consortium wishing to establish an aluminium industry at Tamana InTech Park, the amount of the investment, the number of local jobs that will be created and when will this investment be materialized?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the Government is currently entertaining discussions with an Italian company called Danieli and another international company called Sural who are making proposals to the Government and are looking towards a feasibility study to operate a downstream aluminium industry in Trinidad and Tobago. Those discussions are at the feasibility stage and therefore the rest of the question cannot be answered at this time with respect to the size of the investment and the employment that would be followed. But it would be significant if it has been deemed to be useful at the end of the feasibility study.

Madam Speaker: Supplemental question, Member for Chaguanas East?

Mr. Karim: Thank you very much, Madam Speaker. Hon. Prime Minister, might you be able to indicate to us whether there are any local agents that are engaged in these discussions with the international consortium?

Hon. Dr. K. Rowley: Madam Speaker, I know of no local agents. The discussions have been entirely, as I have said, with Danieli and Sural. And I understand the Member's difficulty in accepting simplicity and truth. I can only tell you the truth.

Madam Speaker: Member for Chaguanas East.

Mr. Karim: Madam Speaker, I will not comment on what was said in the last few words, but let me just ask the supplemental. Could the hon. Prime Minister indicate whether this same company, Sural, had a previous interest in a similar

project in the Tamana InTech Park?

Hon. Dr. K. Rowley: The answer is no. Sural had other interests and Sural continues to have interests as per the original involvement with Trinidad and Tobago. What we are discussing now are different projects.

Madam Speaker: Member for Cumuto/Manzanilla.

Mrs. Newallo-Hosein: Thank you, Madam Speaker. Hon. Prime Minister, is Sural the same company that has threatened legal action against the State?

Hon. Dr. K. Rowley: Madam Speaker, with respect to Sural's original contact with Trinidad and Tobago in the original attempt to diversify into aluminium, certain legal issues arose when the projects were cancelled and it went to arbitration, and those matters have been settled and we are now proceeding to attract investment to Trinidad and Tobago. [*Desk thumping*]

Madam Speaker: Member for Cumuto/Manzanilla, supplemental?

Mrs. Newallo-Hosein: Thank you. Can the hon. Prime Minister provide the contract which was signed by Sural and the State in 2005, or whenever it was, please?

Madam Speaker: I would not allow that as a supplemental question.

Internal Audit UTT (Details of)

Mr. Fazal Karim (*Chaguanas East*): Thank you very much, Madam Speaker, question No. 4: Could the hon. Prime Minister state when the internal audit at the University of Trinidad and Tobago will commence, when will it be completed and will the report be tabled in Parliament?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I know of no special internal audit. What I do know is that all Government departments and agencies ought to have—and I hope they do—ongoing internal audit arrangements. So I do not know exactly what the Member is talking about, other than that.

Madam Speaker: Supplemental, Member for Chaguanas East?

Mr. Karim: Madam Speaker, is the hon. Prime Minister aware that a media release from the Ministry of Education, a public release, indicated that the affairs of the University of Trinidad and Tobago will be subject to an internal audit with respect to its financial situation?

Hon. Dr. K. Rowley: I have just said, Madam Speaker, as far as I am aware,

internal audit is an ongoing, or ought to be an ongoing part of the operations of any of the Government agencies. If there is something special he is talking about, I am not aware of that.

Madam Speaker: Member for Chaguanas East.

**MP La Horquetta/Talparo
(Status Update)**

Mr. Fazal Karim (*Chaguanas East*): Thank you. Madam Speaker, question No. 5: Could the Prime Minister provide a status update on the Member of Parliament for La Horquetta/Talparo?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, as has been made public by the members of the family and the Government, the Member for La Horquetta/Talparo is abroad experiencing medical attention and the family has advised that he is making considerable progress.

Madam Speaker: Member for Caroni Central.

**Non-Energy Investment
(Start Date)**

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you, Madam Speaker. Could the hon. Prime Minister inform this House as to whether any private sector non-energy investment is scheduled to start in fiscal year 2018—non-energy?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, there are a couple of significant anticipations but the Government would prefer to wait until we are firmer before we make any announcement or comment on these things because we do not want to be like we have been accustomed to, coming to Parliament and talking about this project and that project and nothing is happening. However, Madam Speaker, we do have within the Government's control, we are currently engaged in revitalizing the eTeCK Industrial Park. We are also working on a park for the Point Lisas area and an agro park in Moruga. So those are the three that come under Government's control and you would see work being advanced and, hopefully the private sector would invest in those parks as we go forward. There are non-Government controlled investments we are not in a position at this stage to make anticipatory announcements.

Madam Speaker: Member for Caroni Central.

Dr. Tewarie: Would the Prime Minister please indicate whether these are local or foreign, or joint, that is to say, local/foreign investments that he

anticipates, and, secondly, whether there have been any formal commitments of any kind made by any company?

Hon. Dr. K. Rowley: Madam Speaker, I do not want to say much more than I have just said. I said the Government is proceeding along the lines of three of those parks, which is eTeck Park which the Government owns, and is seeking to attract investment to it. That park has been abandoned for the last how many years. We are trying to bring it back into a state where it could attract investment at the location, and we have two new locations we are working on, and I do not know that I can say much more now. And I said we are not in a position to speak definitively on any foreign investment in manufacturing and so, outside of what I just mentioned. So I do not have anything else to tell you on that score at this time.

Madam Speaker: Supplemental, Member for Caroni East?

Dr. Gopeesingh: Hon. Prime Minister, in light of the PPP model that the Government had spoken about in the Couva Children's Hospital and in the housing development, do you see any investment taking place for the Couva Hospital with the Government, and also in the housing development issue?

Hon. Dr. K. Rowley: I could tell you, Madam Speaker, the interest in the housing sector with respect to the PPP has been very encouraging and in the not too distant future you should see the results of that. With respect to the Couva Hospital, we are currently expecting to integrate that hospital into the national health care system, at least initially, for part of the health care service, and while we do that, we are still out there expecting that if we get the opportunity to bring a partnership into place at that hospital, we will.

Madam Speaker: Member for Caroni Central?

Dr. Tewarie: Just as a follow up to ask the Prime Minister, if, based on the answers to the question so far, he did not mention the Sandals resort, I just wondered if there was any formal commitment on that particular project.

Hon. Dr. K. Rowley: With respect to the Sandals project, which is the project that we have been working on for a little while, we are at the stage where we have signed a memorandum of understanding with Sandals where the Sandals brand, the Sandals company, has agreed that if the facility is made available, that Sandals will brand it and provide management operations. And, of course, initially, we were anticipating greater urgency but two things have happened since the original impetus on this matter. One is that Sandals has had other offers from

other Caribbean territories which have been, should I say, more welcoming than Trinidad and Tobago, and they have currently replaced their interest in Tobago with a Barbados interest. And also, the hurricanes in the Caribbean have damaged some of their properties in the north and they are giving that priority.

And also, I think we are also very wary of the kinds of—how should I put it?—the kinds of welcome that they might have in Trinidad and Tobago. They are now engaged in, I think, six projects and initially we thought we would have been at number two on the scale of things. Now, I think we are pretty much like number five. So it will take a little more time for us to get to a stage of actually having things done. However, in the meantime, having signed the MOU, we have progressed, in that the Government has obtained the site, and secondly, there are certain gestational works to be done like surveys and so on, and those things can be done—which would have had to be done anyway—and hopefully we will get very soon to a stage where we will conclude the agreement with respect to the nature of the project.

We have invited local business houses to participate as equity investors and we have got two positives. We got a positive from Neal and Massy and Guardian Life. Ansa McAL has declined. So, between the Government and the private sector in Trinidad and Tobago the interest is still there, and as the project gels and with Sandal's commitment to participate, we are expecting that the project will progress even though we have a slight set-back with respect to the timing.

Mobile Phone Jammer (Operational Status)

Mr. Fazal Karim (*Chaguanas East*): Thank you, Madam Speaker. Could the Prime Minister state if the Mobile Phone Jammer is currently operational at the prisons and if not, why not?

The Prime Minister (**Hon. Dr. Keith Rowley**): Madam Speaker, this particular matter is a matter of national security and I prefer not to stand here and tell the rest of the world what kind of fence we have along our borderline.

Strategic Services Agency (Staffing Details)

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker. To the Prime Minister: Could the Prime Minister inform this House if the established industrial relations principle of 'last in first out' was adhered to in the firing of the 35 workers of the Strategic Services Agency (SSA) and when will all liabilities arising out of their said employment be fully settled?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, let me make this abundantly clear to all interested parties, that if the Government of Trinidad and Tobago, under this administration, or any PNM administration, wants to make any review or assessment of our national security apparatus, it will certainly not be on a “last in first out”. It is not URP.

And secondly, with respect to the liabilities to be settled, we will not do what had been done before, because we will learn from the experiences of what happened before. The previous government created liabilities for Trinidad and Tobago in this same national security apparatus by firing Brigadier Joseph. That settlement cost \$2 million; Nigel Clement, that settlement cost \$1.5 million. The Government fired 60 locally trained people in the security services. Lawsuit CV 2013 was filed, Number 02921 and that is to be settled by this Government. Twenty-five locals, another lawsuit in 2015, Number CV 2015, 0293, that is there to be settled. Thirty-one foreign officers in 2015 have filed claims in pound sterling, for a total of 116 of our security services highly trained people, including the 31 people who the British government sent here to help us. The last government fired all of them and left them there to make claims against the Government of Trinidad and Tobago.

Those liabilities will have to be settled first before any liabilities that you are alluding to. And as far as I am aware, there are no liabilities now in any actions of this Government, and that is the proof of how the last government dismantled our national security apparatus. In one area, 116 highly trained technical crime fighting experts were summarily dismissed by the last government. So far, two of them have settled claims: \$2 million for one; \$1.5 million for the other. And you have the gall to come here and ask me today—[*Desk thumping*]

Madam Speaker: Supplemental question, Member for Couva South.

Mr. Indarsingh: Thank you, Madam Speaker. Could the Prime Minister tell this House when will the restructuring exercise be completed? And in addition to this, the constant firing—

Madam Speaker: One question at a time.

Hon. Member: What is the question?

Mr. Indarsingh: When will the restructuring exercise of the SSA be completed?

Hon. Dr. K. Rowley: There is an ongoing exercise and as soon as the completion has taken place, you can be advised.

Madam Speaker: Supplemental question, Member for Couva South.

Mr. Indarsingh: So the Prime Minister, in his capacity as the head of National Security Council, are you telling this House that you are not aware of the press release issued by the SSA that the restructuring exercise will be completed by the 30th of November, 2017?

Hon. Dr. K. Rowley: So if you have the answer why are you asking me then?

Mr. Indarsingh: I am asking you—

Hon. Dr. K. Rowley: Madam Speaker, I have answered the question. It is an ongoing exercise and I am not in a position now, and I have given him a commitment that when the process is completed he can be advised.

Madam Speaker: Supplemental question, Member for Couva South.

Mr. Indarsingh: Madam Speaker, could the Prime Minister inform this House if the continued dismissals of persons in the service of Trinidad and Tobago undermines the moratorium that he guaranteed to the labour movement that there would be no—

Madam Speaker: I am not going to allow that as a supplemental question. *[Interruption]* Member. Member for Couva South, question 9.

UN Convention on Climate Change (T&T's Lack of Representation)

Mr. Rudranath Indarsingh (Couva South): Thank you, Madam Speaker. Could the Prime Minister inform this House as to why Trinidad and Tobago was not represented at the United Nations Convention on Climate Change (COP23) that was held in Bonn, Germany between November 06 to 17, 2017?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, the Government of Trinidad and Tobago does not attend every meeting that is organized everywhere in the world. And it is strange that my colleagues come here on one day and make a big argument about Government travel, and then the next day they come and ask you why you have not travelled around the world.

With respect to this particular matter, the Government of Trinidad and Tobago is more concerned about putting itself in a position to be able to ratify this Treaty rather than to attend every meeting that is called. *[Desk thumping]*

Madam Speaker: Member for Naparima.

Mr. Charles: Question to the Prime Minister: Has this Government ceded leadership in the climate change developments, given that we have not ratified the

Paris Agreement, we did not attend the Paris conference in 2015 and we are not at Bonn today?

Madam Speaker: Member, I am not going to allow that as a supplemental question. Member for Couva South.

Mr. Indarsingh: Thank you, Madam Speaker. Taking into consideration the Prime Minister recently attended a regional meeting at Caricom level in Belize dealing with climate change and disaster management and the impact upon—

Madam Speaker: Member, you have 15 seconds to ask the question. Please ask it.

Mr. Indarsingh:—and the impact upon weather patterns on Trinidad and Tobago citizens, Mr. Prime Minister, do you not think that it would have been prudent to have a delegation representing Trinidad and Tobago? [*Desk thumping*]

Hon. Dr. K. Rowley: Madam Speaker, clearly, the Member has difficulty understanding what I am saying, and I am saying that whether we went to Belize or not—and as a matter of fact, having gone to that Belize meeting, it puts us in a better position to deal with our priorities as we have set them. Our priority right now is to be able to put this country in a position to ratify the Treaty and our priority is not to attend every meeting that has been called.

Chaguaramas Development Authority (Employment Details)

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. Could the Prime Minister indicate whether one of his relatives is currently employed at the Chaguaramas Development Authority (CDA) at a management level?

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I am aware that I have a relative who works at Chaguaramas at the CDA. I do not know in what capacity but I can give you and the country the assurance that any relative of mine who is employed in the State anywhere in this country is ably qualified and highly qualified for the position they hold. [*Desk thumping*]

Madam Speaker: Member for Caroni Central.

Dr. Tewarie: Thank you for answering, Prime Minister. I am not trying to be controversial. It is an important issue. Was the normal process followed for the hiring of that individual, do you know? You may not know, I do not know.

Hon. Dr. K. Rowley: Madam Speaker, I have no information about the process, but I can tell you that we get no favours from anybody in this country.

Madam Speaker: Member for Caroni Central?

Dr. Tewarie: Would the Prime Minister know how many employees of the CDA have been let go over the last two years?

Madam Speaker: I am not going to allow that as a supplemental question.

URGENT QUESTIONS

University of Trinidad and Tobago (Decision to Cut Staff)

Mr. Fazal Karim (*Chaguanas East*): Thank you, Madam Speaker. Question No. 1 to the Minister of Education: Could the Minister state if a decision has been taken by the Board of the University of Trinidad and Tobago to cut staff at both the academic and corporate level or to close existing campuses?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam Speaker. No discussion has been taken at this time. Thank you.

Madam Speaker: Member for Naparima.

Landslides in Naparima (Relief For)

Mr. Rodney Charles (*Naparima*): Thank you, Madam Speaker. To the Minister of Housing and Urban Development: Given the number of families in Naparima who are seriously affected by landslides and are at risk of their homes collapsing as we speak, could the Minister indicate the relief available for these affected persons?

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, the Ministry of Housing has received no reports of the residents of housing in the Naparima area either directly to the HDC or via any report in the media. However, if such cases do exist—and it is questionable as to whether they do—temporary housing may be made available subject to the normal and proper procedure and assessment by the HDC.

Further, emergency home repair grants may be available for immediate and urgent repair, again, subject to following the proper process and procedure. In cases such as these, too, the regional corporation and the Ministry of Works and

Transport should be made aware so that they may take any action to avoid any imminent danger that may exist.

Madam Speaker: Member for Naparima, a supplemental question?

Mr. Charles: Madam Speaker, so tomorrow I could tell the persons who reside on St. Croix Road—

Madam Speaker: Is that a supplemental question?

Mr. Charles: Yes. I could tell the people—what could I tell them in St. Croix Road whose houses are about to collapse? I want precisely, an answer.

Hon. S. Young: Madam Speaker, this is actually quite glaring that the Member of Parliament for Naparima is telling the national community he does not know what he is supposed to do as a representative of the people in Naparima. [*Desk thumping*] So people in Naparima, we will now tell you as a Government, there are state agencies, including local government, the Ministry of Works and Transport and the Housing Development that have proper procedures in place. If you are in a situation where there is imminent danger, do not go to your Member of Parliament for Naparima, go directly to these State agencies for assistance. [*Desk thumping*]

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Since I have written to the Minister of Housing and Development and he has not responded—[*Crosstalk*]

Dr. Rowley: What is the question?

Mr. Charles: Would he agree that—

Madam Speaker: Member, I am on my legs. Member, do you have a question?

Dr. Rowley: No, he has none.

Madam Speaker: Member for Naparima, we are on to question No. 3.

Piarco Immigration Officers (Steps Taken to Prevent)

Mr. Rodney Charles (Naparima): Thank you, Madam Speaker. To the Minister of National Security: Given the recent actions of Immigration Officers at Piarco Airport on Sunday, November 12, 2017, could the Minister state the steps in place to ensure that the operations of the Immigration Department are not negatively affected again?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam Speaker. The events of November 12th caused great inconvenience to citizens returning to Trinidad and Tobago and visitors who were coming into Trinidad and Tobago, and I can tell you that this Government strongly condemned, and members of the public also condemned the actions of those immigration officers. There is an ongoing investigation, Madam Speaker, and I am sure—I am certain—that those who have contravened section 149(1)(d) of the Civil Service Act, Chap. 23:01, would certainly be dealt with; those who are culpable. In addition, Madam Speaker, the Minister of National Security has also sought legal advice as to the way going forward to treat with what we consider gross misconduct that embarrassed the citizens and the Government of Trinidad and Tobago.

With respect to measures being adopted, the Minister of National Security has, in fact, mandated the Chief Immigration Officer to activate and ensure and manage the on-call roster for persons on standby to treat with a similar situation if it occurs. Additionally, before this situation, negotiations and discussions between the Airports Authority and the Ministry of National Security with respect to the purchase and implementation of kiosks—automatic kiosks will be in place possibly before Carnival 2018 so that people coming into Trinidad and Tobago would not have to go to immigration personnel per se, but go directly to the kiosks—one measure.

There is another measure. We have also been negotiating with a standby of retired immigration officers as a second tier other than the call-up officers—as a second tier—who are familiar with the system, to be on call to treat with a similar situation.

Thirdly, Madam Speaker, there is another group which I will not identify at this point in time who will be trained as soon as—in fact, next week they are going to start their training as a third backup to treat with a similar situation. I thank you. [*Desk thumping*]

Madam Speaker: Supplemental, Member for Oropouche East.

Dr. Moonilal: Thank you very much. Minister, did I hear you have concluded that it was gross misconduct but you are still conducting some type of investigation?

Hon. Maj. Gen. E. Dillon: I am sure you did not hear me say that. I am sure you did not. I told you there is an ongoing investigation that is taking place. I said and I sought legal advice as to—

Madam Speaker: Member for Caroni East.

Dr. Gopeesingh: Would the Minister consider apologizing to the hundreds who were distressed during this period of time?

Madam Speaker: I am not going to allow that as a supplemental question. Member for Tabaquite.

Dr. Rambachan: Thank you, Madam Speaker. Mr. Minister, it was reported in the newspaper—and I do not know if this is the third option you are talking about—that defence personnel would be trained in order to man the immigration desks at the airport. What is the rationale behind the choice of defence personnel to be trained?

Madam Speaker: Minister of National Security.

Hon. Maj. Gen. E. Dillon: The defence force are there to serve the Government and people of Trinidad and Tobago in any emergencies or any situation as required by the Government and people of Trinidad and Tobago, especially to treat with national security issues. [*Desk thumping*]

2.10 p.m.

**Lack of Anaesthetist at Point Fortin Hospital
(Measures Taken re Emergency Surgery)**

Mrs. Vidia. Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Madam Speaker. To the Minister of Health: In light of reports indicating that there is currently no anaesthetist stationed at the Point Fortin Hospital, could the Minister indicate the measures taken to accommodate patients in need of emergency surgery?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam Speaker. The Point Fortin Area Hospital was a facility built in 1939 by Shell Company. It is a very old structure. The roof above the operating theatre is that of flat concrete. A crack developed which allowed water to seep through the roof, into the wiring of the lights at the theatre, affecting the lights. When that became known to us about three months ago, we immediately made arrangements to transfer the two anaesthetists to San Fernando so operations could be performed there, and have been performing there for the past two to three months. So no patient has been disadvantaged. What we have done in the interim, because the cost of the lights are above the limit for a CEO to sanction without board approval, we had to go out for tender; a board note was done; tenders were evaluated. It is

to be awarded next week once the award has been made. We are working with the agency to airfreight the lights down in quick time. Thank you very much.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, it is my understanding that there are certain emergency operations like ectopic pregnancy, caesarean section, and even a ruptured spleen that needs to be done within some minutes, so transporting the patient from Point Fortin—[*Interruption*]

Madam Speaker: Member, you have 15 seconds for a question. Please ask the question.

Mrs. Gayadeen-Gopeesingh: So what measures are being taken for those who come into the Point Fortin Hospital with such symptoms?

Hon. T. Deyalsingh: Madam Speaker, I just answered the question. All patients are sent to the San Fernando facility and all operations have been performed there over the last two to three months, and we are fixing the problem because the CEO's limit could not accommodate the emergency purchase of lights.

Dr. Gopeesingh: Are you aware, Minister, that while all of this is happening, patients can lose their lives in minutes while waiting for their surgeries? [*Desk thumping*]

Hon. T. Deyalsingh: No one to date, and we have put all measures in place for fast transfer of patients to San Fernando and the process is ongoing, and we are happy with the result. It is not ideal, but this is what it is. Thank you very much.

ICT Personnel Employment for CSEC Online (Non-renewal of contracts)

Mrs. Christine Newallo-Hosein (*Cumuto/Manzanilla*): Thank you, Madam Speaker. To the Minister of Education: In light of reports that ICT personnel employment contracts will not be renewed, could the Minister indicate who will oversee the implementation of the CSEC online?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam Speaker. Those reports are false. Thank you. [*Desk thumping*]

Mrs. Newallo-Hosein: Hon. Minister, are you aware that yesterday your PS met with the union and indicated that the contracts have not been renewed and they do not know when they will be renewed?

Hon. A. Garcia: Madam Speaker, that is a totally different question from the first, and therefore, yes, I am aware but no definitive decision has been taken at this time. Thank you.

Mrs. Newallo-Hosein: Is the hon. Minister aware that no ICT technician is available at any school, or at NALIS, or anywhere as a result of non-renewal of contracts?

Madam Speaker: I will not allow that as a supplemental question. Member for Princes Town.

**Princes Town East Secondary School
(Reasons for Closure and Relocation of)**

Mr. Barry Padarath (*Princes Town*): Thank you, Madam Speaker. Madam Speaker, through you, to the hon. Minister of Education, question No. 6. Could the Minister indicate the reasons for the closure and relocation of the Princes Town East Secondary School as announced today?

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, the Princes Town East Secondary School has not been closed, the students have not been relocated. Thank you.

Mr. Padarath: Thank you, Madam Speaker. To the hon. Minister, through you, Madam Speaker. Is the Minister willing to give the undertaking that in the next sitting that he will provide us with the information, seeing that the school is claiming that they have received documents from the Ministry of Education this morning with respect to the closure and relocation of the Princes Town East Secondary School?

Madam Speaker: Member, I am not too sure that I understand the question.

Mr. Padarath: I am asking, Madam Speaker, through you to the hon. Minister, whether or not he will give the undertaking to look into the matter and provide us with the information, seeing that the school is claiming that they have received documents from the Ministry?

Hon. A. Garcia: Madam Speaker, I have already indicated to the Member for Princes Town, that the information that he wants to share with us is false. The school has not been closed, the students have not been relocated. Thank you very much.

Mr. Padarath: Supplemental, Madam Speaker. Madam Speaker, I just wanted on a point of clarification with the hon. Minister, that the hon. Minister is confirming that no documents or instructions have come this morning from the Ministry of Education with respect to the relocation and closure of the Princes Town East Secondary School; that he is not aware of any documents or instructions that have come to the school.

Hon. A. Garcia: Madam Speaker, I am not aware of any such document. If such document was sent, it would have been met with my approval. I did not approve such.

**Leptospirosis
(Number of Confirmed Cases)**

Mr. Rudranath Indarsingh (Couva South): Thank you, Madam Speaker. To the Minister of Health: Could the Minister inform this House of the number of confirmed cases of leptospirosis inclusive of deaths from October 2017 to present which have been treated by medical personnel of the South West Regional Health Authority?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam Speaker. Madam Speaker, to date from October 2017 to now, there are no confirmed cases of leptospirosis. All the cases are suspected pending serology testing. However, on clinical presentation, once leptospirosis is suspected they follow protocol and initiate immediate treatment whether it is supportive or with antibiotics. That goes across the board. That has been the protocol forever and that is the protocol being followed. Let me say it again. All cases of suspected leptospirosis are treated immediately, supportively, and with antibiotics whether the case is suspected or confirmed.

Mr. Indarsingh: Thank you. Again, to the Minister: Could you then advise how many suspected cases and can you confirm—*[Interruption]*

Madam Speaker: Hon. Member, question please.

Hon. T. Deyalsingh: From 2010 there were 68; 2011, 43; 2012, 37; 2013, 41; 2014, 34; 2015, 30; 2016, 32; and 2017 to date, 58. So 58 and do not play politics with this—*[Interruption]*

Madam Speaker: Member for St. Joseph. Member for St. Joseph. Order! The time for urgent questions is now spent.

ORAL ANSWERS TO QUESTIONS

Madam Speaker: Leader of the House.

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, we are in a position to answer questions 2, 6, 9, 10, 11, 12, 13, 16, 21, 22, 24 and 25.

**Major Roads in Naparima
(Repair Works of)**

2. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Works and Transport:

Further to the response to House of Representatives question No. 40 on February 03, 2017, could the Minister provide the expected commencement date for the continuation of repair works to potholes and landslips on major roads in Naparima inclusive of Garth Road, Coryal Road, St. Croix Road and the Guaracara/Tabaquite Main Road?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, over the period January 2017 to present, in order to maintain the functionality of Garth Road and Naparima/Tabaquite Road, the Victoria West District executed surface patching, pothole patching and deep patching. No repair work was done to the St. Croix Road over the aforementioned period. Patching on St. Croix Road will commence in 2018 as soon as funds become available. Work is also to commence in the second quarter of 2018 under the upcoming PURE Programme on the Naparima/Mayaro Road between Garth Road and Iere Village. Coryal Road falls under the Princes Town Regional Corporation. Thank you. [*Desk thumping*]

**United Nations General Assembly
(Non-Attendance of Prime Minister)**

6. Mr. Rodney Charles (*Naparima*) asked the hon. Prime Minister:

Could the Prime Minister state his reasons for not attending three consecutive annual meetings of the United Nations General Assembly?

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, not unlike several other Heads of Government such as Mexico's Enrique Peña Nieto, Russia's President Vladimir Putin, German Chancellor Angela

Merkel, China's President Xi Jinping, India's Prime Minister Narendra Modi, who all missed this year's United Nations General Assembly because of domestic commitments, the Prime Minister was unable to attend the annual meetings of United Nations General Assembly. Consequently, the Minister of Foreign and Caricom Affairs, Sen. The Hon. Dennis Moses, attended on his behalf and ably represented Trinidad and Tobago's interest at the Assembly.

Mr. Charles: Is the Minister aware at all these meetings, over 150 Heads of State/Government attended and this provides a forum for the high-level discussions of matters mutual to Trinidad and Tobago, our interests?

Hon. S. Young: Thank you very much for that education.

Madam Speaker: Supplemental question, Member for Naparima?

Mr. Charles: Yes. Is the Prime Minister aware that at this forum negotiations took place in respect of terrorism, something that is of interest to our development and we could have gotten shared information and experiences with them?

Hon. S. Young: Madam Speaker, once again the Member for Naparima behaves in a most irresponsible and unpatriotic manner. What negotiations with terrorism took place? He negotiates with terrorists? Is that what he is telling us?

Madam Speaker: Member. [*Crosstalk*] Members. Order! Order! Order!

Oasis Development (TTPost Postal Services)

9. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of Public Utilities:

Could the Minister state when the Oasis Development, Endeavour of the Housing Development Corporation will receive postal services from the Trinidad and Tobago Postal Corporation?

The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte): Madam Speaker, the provision of mail delivery service to the Oasis Housing Development located at Endeavour—[*Interruption*]

Madam Speaker: Hon. Members, could I remind you all of the provisions of Standing Order 53, please? Minister of Public Utilities.

Sen. The Hon. R. Le Hunte:—is dependent on the installation of cluster

boxes by the Housing Development Corporation. The Trinidad and Tobago Postal Corporation is in contact with the HDC with respect to the installation of these boxes, and once this is completed the mail delivery service will commence within one month. [*Desk thumping*]

Mr. Karim: Thank you, Madam Speaker. Could the Minister indicate the time frame by which this might happen since you are in discussions with the HDC?

Sen. The Hon. R. Le Hunte: We are in discussions with the HDC, who I understand is working on this expeditiously and hope to have it completed within the shortest possible time.

Oasis Development (PTSC Bus Service)

10. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of Works and Transport:

Could the Minister state when the Oasis Development, Endeavour of the Housing Development Corporation will receive a bus service from the Public Transport Service Corporation?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the Public Transport Service Corporation has developed a plan to improve the bus transportation service to the national community. With the proposed injection of 65 new buses into the corporation fleet in 2018, coupled with a bus repair programme, the plan includes improving the bus service to all communities including Chaguanas and environs. Thirty-five new buses will be delivered to the corporation in March 2018, and the additional 30 buses are expected to be delivered by October 2018. Subsequent to this, the corporation proposes to commence morning and evening peak time service to Oasis Housing Development, Endeavour, Chaguanas, as part of its holistic strategy to make maximum use of the new buses.

Mr. Karim: Thank you, Madam Speaker. Could the Minister indicate—you said morning and evening, but how many times per week?

Sen. The Hon. R. Sinanan: Thank you. Madam Speaker, route demand performance data will be collected to guide the corporation on the schedule required to satisfy the housing development demands for the service.

Highway from Sangre Grande

(Effect on Aripo Savannah)

11. Mr. Ganga Singh (*Chaguanas West*) asked the hon. Minister of Works and Transport:

Could the Minister state whether the highway from Sangre Grande to Toco will adversely affect the Aripo Savannah?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the proposed Toco roadway project will not have any diverse impact on the Aripo Savannah. The starting point for this project is the proposed Ojoe Road roundabout on the Churchill Roosevelt Highway extension to Manzanilla project. The Ojoe Road/Connector Road is located approximately east of the Aripo Savannah.

**Telecommunications Services of Trinidad and Tobago
(Filling of Vacant Chairman Position)**

12. Mr. Ganga Singh (*Chaguanas West*) asked the hon. Minister of Public Utilities:

Could the Minister state when will the vacant position of Chairman of the Telecommunications Services of Trinidad and Tobago be filled?

The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte): Madam Speaker, this question is now dated. However, for the records, the position of chairman of the Telecommunications Services of Trinidad and Tobago has been filled. The new chairman is Mr. Robert Mayers who received his letter of appointment earlier this week.

**Severe Flooding in Diego Martin and Central Trinidad
(Prevention of)**

13. Mr. Ganga Singh (*Chaguanas West*) asked the hon. Minister of Works and Transport:

In light of severe flooding in the areas of Diego Martin and Central Trinidad in September 2017, could the Minister state the works undertaken to prevent future instances of flooding in these areas?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Following the events of flooding in the Diego Martin and Maraval area, in late September 2017 the drainage division conducted the following exercise: cleaning in the Blue Basin and Bagatelle area, desilting

works in the Perseverance and La Seiva silt trap, cleaning the La Horquette River using mechanical equipment. In the central region the following areas were cleaned: the Tacarigua River on Freeman Road; the Balata Ravine in El Carmen; the Cunupia River in the vicinity of Dyett Estate, removal of fallen trees in the river; the Diana River in the vicinity of Chase Village, removal of fallen trees in the river; and Bamboo No. 3, collector drains. These works would significantly reduce flooding in those areas. The drainage division continues to do regular maintenance work throughout the country. I thank you, Madam Speaker.

**Drinking Under the Influence Task Force
(Operation of)**

16. Mr. Rudranath Indarsingh (*Couva South*) asked the hon. Minister of National Security:

Could the Minister indicate whether the Drinking under the Influence Task Force of the Trinidad and Tobago Police Service is still operational?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Information provided by the Trinidad and Tobago Police Service indicates that Driving Under the Influence Task Force is operational. Madam Speaker, the Driving Under Influence Task Force core function is in fact to support the operations of the Traffic and Highway Patrol Branch of the Trinidad and Tobago Police Service. The responsibilities of the attached officers include educating the public on the requirement of the law for road safety, especially as it relates to alcoholic impaired driving and conducting both regular and voluntary breath testing exercises.

In addition, Madam Speaker, the DUI enforcement exercises, officers attached to the task force also carry out regular policing duties which fall under the ambit of the Senior Superintendent of the Traffic and Highway Patrol Branch. These operational functions include, inter alia, speed enforcement exercises, roadway patrol operations and traffic law enforcement, traffic management and vehicle collision response, and general police duties.

Mr. Indarsingh: Thank you, Madam Speaker. Again to the Minister: Based on the information provided, Minister, is there any manpower shortage existing in this particular unit?

Hon. Maj. Gen. E. Dillon: Not as far as I am aware, Madam Speaker.

**Hosting of “Spotlight” Forum
(Total Costs of)**

21. Dr. Roodal Moonilal (*Oropouche East*) asked the hon. Prime Minister:

Could the Prime Minister provide the total cost inclusive of rentals, live media broadcast and catering for the hosting of the forum entitled, “Spotlight on Trinidad and Tobago’s Financial Circumstances: The Road Ahead” on September 27, 2017 at the Hyatt Regency?

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, the very successful and well received “Spotlight” event, which we are hoping to become an annual event, cost \$222,178.75. It was a full day, full room at the Hyatt of leaders in the business community and other areas. Venue, rental, food, sound system which was the Hyatt Regency, Trinidad, cost \$166,443.75, the events coordinator was \$55,235, the makeup artist was \$2,500, resulting in a total of \$222,178.75.

Dr. Moonilal: Madam Speaker, could I ask the gentleman, Member for Port of Spain North/St. Ann’s West, whether he believes that it was a good idea to spend a quarter million dollars at the Hyatt to tell the country that you are bankrupt?

Madam Speaker: Member, that is an argumentative question. I will not allow it. Member for Oropouche East, supplemental.

Dr. Moonilal: Thank you very much, Madam Speaker. Madam Speaker, could I also ask the Minister whether the Minister will consider, this being thought of as an annual event, to host this at a Government facility somewhere where you will not spend a quarter million dollars the week before a budget when you ask the country to tighten its belt and cut spending and reduce jobs?

Hon. S. Young: Yes.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: The Member for Laventille West is disturbing. What number is it here?

Madam Speaker: Question No. 22

**Construction of Highway to Manzanilla
(Financing Arrangements for)**

22. Dr. Roodal Moonilal (*Oropouche East*) asked the hon. Minister of Works and Transport:

Could the Minister state the financing arrangements for the construction of the highway to Manzanilla?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, this project, this Churchill-Roosevelt Highway extension to Manzanilla, known as the crème project, is being funded from Infrastructure Development Fund (IDF). The sum of \$72 million has been allocated to the Ministry of Works and Transport under the IDF for 2017/2018 fiscal year. Further funding will be requested from the Ministry of Finance as and when required. Thank you.

Dr. Moonilal: Thank you very much, Minister. Minister, could I ask, bearing in mind that the contractor identified has been identified by your Government as participating in cartel arrangements and bid rigging and so on, whether you have embarked on any investigation on this tender and this contract, given the discrepancy in the tenders?

Sen. The Hon. R. Sinanan: Madam Speaker, the Member for Oropouche East said discrepancies in the award of contract. I do not know of any discrepancies in the award of this contract. Thank you.

**Children in Possession of Guns
(Making of Enquiry Report Public)**

23. Dr. Roodal Moonilal (*Oropouche East*) asked the hon. Minister of National Security:

Could the Minister state when will the report of the Board of Enquiry into the circumstances that led to two children being in possession of guns at a military camp be made public?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Madam Speaker, elements of the Board of Enquiry were in fact made public based on a request from Sen. Sturge in another place; elements of which were in fact published in the national newspapers.

Dr. Moonilal: Mr. Minister, bearing in mind you made a commitment in the Parliament to make this report available, would you be making the full report of

the Board of Enquiry into the circumstances that led to two children being in possession of guns at a military camp, will you be making that available to the public, through the Parliament, bearing in mind you made this commitment in the Parliament?

Hon. Maj. Gen. E. Dillon: Madam Speaker, I do not recall making such commitment and, in fact, the Chief of Defence Staff has issued what he felt could be released as part of the Board of Enquiry into the public domain.

Audit Report (Petrotrin)

24. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Energy and Energy Industries:

Could the Minister state:

- (a) whether Petrotrin has submitted an audit report containing details of inflated oil production by lease holders of the Ministry;
- (b) if the answer to part (a) is in the affirmative, state the next steps to be taken to ensure those responsible are held accountable; and
- (c) if the answer to part (a) is in the affirmative, state the expected date that the findings of the audit report would be made public?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam Speaker. The answer to question 24(a): Petrotrin did submit an audit report of reported discrepancies include volumes transferred between the exploration and production division, and the refinery division to the Ministry of Energy and Energy Industries.

In response to question 24(b): Petrotrin has initiated a number of investigations into the matter which include an industrial relations investigation into the conduct of employees involved in the matter to determine accountabilities and disciplinary action as warranted; and a forensic audit by Kroll Consulting Canada Limited which includes, inter alia, determination of, if any, fraudulent activities which occurred in this matter and to identify any culpable persons, whether internal or external, to Petrotrin; and in response to question 24(c): The audit and forensic reports are internal reports of Petrotrin and are not subject to public disclosure.

Mr. Lee: Supplemental to the Minister. Would that report be available to the Parliament?

Sen. The Hon. F. Khan: Which report are you speaking about? The Kroll report? [*Crosstalk*] We cannot give that commitment. We are not even aware what the contents of the report are and that is an internal Petrotrin matter.

Dr. Gopeesingh: Are you saying, hon. Minister, that a report on a state company or a state enterprise, is not going to be made available to Parliament which has the jurisdiction over that?

Sen. The Hon. F. Khan: Through you, Madam Speaker, we are jumping ahead of ourselves. This is a very sensitive process. An investigation is being conducted by an external forensic auditor and when the results are taken, what has to be determined will be determined by Petrotrin, and by extension, the Government.

Dr. Moonilal: Hon. Minister, are you saying that this report will be made public depending on the contents of the report?

Sen. The Hon. F. Khan: I never said that, Madam Speaker. [*Crosstalk*]

Mr. Singh: The whole question of the discretion of disclosure of this report, is it dependent upon the fact that one of the principals in this matter is the friend of the Prime Minister?

Sen. The Hon. F. Khan: Obviously that is not true, Sir.

Chairman of Petrotrin (Resignation Details)

25. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Energy and Energy Industries:

Could the Minister state the reasons for the resignation of Professor Andrew Jupiter as the Chairman of Petrotrin?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam Speaker, in correspondence addressed to both the Minister of Energy and Energy Industries and to the Minister of Finance in his capacity as Corporation Sole, Prof. Jupiter informed that he had resigned as chairman of the board of directors of Petrotrin for personal reasons.

Mr. Lee: Could the Minister state if Prof. Jupiter is on any other state boards in Trinidad and Tobago?

Madam Speaker: I will not allow that as a supplemental question.

**Negotiations with Sandals
(Public access to Beaches)**

7. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Tourism:

Given that section 3(1) of the State Lands Act, Chap. 57:01 states, “the dominion of the seashore lying between high water mark and low water mark belongs to and is vested in the State”, could the Minister state whether the negotiations with Sandals will ensure that all citizens will have access to beaches adjoining the proposed Sandal’s property?

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. The negotiations as we heard earlier with Sandals Resort are still ongoing. However, this Government can give an assurance to the people of Trinidad and Tobago that it does not intend to break any law of Trinidad and Tobago with respect to this project or otherwise. [*Desk thumping*]

2.40 p.m.

**DEFINITE URGENT MATTERS
(LEAVE)**

**Piarco International Airport
(Failure of Government to Manage)**

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker. I hereby seek leave to move the adjournment of the House today under Standing Order 17 for the purpose of discussing a definite matter of urgent public importance namely the failure of the Government to ensure that the Piarco International Airport is efficiently and effectively managed. The matter is definite because it pertains explicitly to the breakdown in the operations of the Piarco International Airport where 13 immigration officers who were scheduled to be on duty on Sunday, November 12, 2017 did not report for duty.

The matter is urgent because hundreds of nationals and foreign commuters waited up to four hours or more to be processed after arriving at the airport. The matter is of public importance because the breakdown in the operations of the Piarco International Airport affected women, children, the elderly and the disabled, and the Government is yet to provide the public with a contingency plan should a situation like this occur again, thus leaving the public vulnerable to such a recurrence.

Madam Speaker: Hon. Members, I am not satisfied that this matter qualifies under this Standing Order. I advise that the Member pursue this matter under Standing Order 16. Member for Caroni East.

**Leptospirosis
(Failure of Government to Manage)**

Dr. Tim Gopeesingh (*Caroni East*): Thank you, Madam Speaker. In accordance with Standing Order 17 of the House of Representatives, I hereby seek leave to move the adjournment of this House at its sitting today for the purpose of discussing a definite matter of urgent public importance namely the failure of the Government to manage a serious health crisis resulting from the infectious disease of leptospirosis. The matter is definite because leptospirosis is related to contamination of flood waters infected by the leptospira, that is, the bacteria, excreted by rats in the water and can cause death.

The matter is urgent because as at 15 November, 2017, at least 15 patients at San Fernando General Hospital have been infected with suspected cases of leptospirosis and two deaths have occurred. The matter is of public importance because many residents in south Trinidad are at continued risks of being infected and dying because of the recent flooding in south Trinidad. There has been no known public awareness campaign, preventive or early detection measures, implemented in the various flood-affected areas of Trinidad, particularly south Trinidad.

Madam Speaker: Hon. Members, I am not satisfied that this matter qualifies under this Standing Order. I advise that the Member pursue this matter under Standing Order 16.

**MISCELLANEOUS PROVISIONS (MUTUAL ASSISTANCE IN CRIMINAL
MATTERS, PROCEEDS OF CRIME, FINANCIAL INTELLIGENCE UNIT OF
TRINIDAD AND TOBAGO, CUSTOMS AND THE EXCHANGE CONTROL) BILL,
2017**

Order for second reading read.

The Attorney General (Hon. Faris Al-Rawi): Thank you, Madam Speaker. I beg to move:

That a Bill to amend the Mutual Assistance in Criminal Matters Act, the Proceeds of Crime Act, the Financial Intelligence Unit of Trinidad and Tobago Act, the Customs Act and the Exchange Control Act, be now read a second time.

Madam Speaker, I have literally just come into Trinidad and Tobago having had the pleasure of participating in our work at the Caribbean Financial Action Task Force on Tuesday up until last night late when we finished. This was held in Guyana and I am able to say that once again, Trinidad and Tobago is being viewed as a serious nation committed to fighting the scourge of money laundering and the financing of terrorism and all of the cohort horrors that are associated with that.

Before us, as a Parliament today, is a Bill which treats with the amendment to five pieces of law and two regulations. The laws which we seek to amend today, of course, include those mentioned in the very title to the Bill: Mutual Assistance in Criminal Matters Act, Chap. 11:24; the Proceeds of Crime Act, Chap. 11:27; the FIU Act, Chap 72:01 and Regulations associated with it; the Customs Act, Chap. 78:01; and the Exchange Control Act, Chap. 79:50 and the Exchange Control Import and Export Order, 1993.

Madam Speaker, to put this by way of translation very simply to the good people of Trinidad and Tobago, this Bill is anchored in published legislative work that this Government has committed itself to, as will be shortly revised. It is also targeted in eliminating the scourge of crime in Trinidad and Tobago through a very focused effort of following money. Following money and taking the profit out of crime is, in the Government's view, the key to tackling something which, as a nation, we have not managed to see addressed, and that is a rebate from the horrors of crime. No one Government, back to back Governments put together, has managed to really wrestle crime in the reverse direction. The people of Trinidad and Tobago are left in this lurch of wondering where a consequence is going to arrive to an alleged act. The Government in pursuing this "follow the money", be it in money laundering offences which, of course, are anchored in matters including narco trafficking, human trafficking, in pure criminality and theft and larceny down to aggravated circumstances of assault or be it in the realm of the ugly head of terrorism as it has reared its head globally. It is critical that you follow money in both domains.

Now, Madam Speaker, by way of explanation, Trinidad and Tobago is a member of an entity called the Caribbean Financial Action Task Force. The Caribbean Financial Action Task Force is a 25-country basin which is put together under an umbrella of something called a FATF-styled regional body. The parent work, which sets the parameters as to what countries ought to do to fight the scourge of money laundering and the financing of terrorism and all associated criminality, comes from something called the Financial Action Task Force or

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FATF as it is called. FATF is comprised of 37 countries, the G-20 countries, the OECD countries, and then the FATF sub-bodies that work along with these standards—there are nine of them including CFATF—parent body and sub bodies put together total 190 countries. So 190 countries regulate themselves by way of reference to 40 Recommendations produced by FATF and 11 immediate outcomes.

Now, countries are invited not only to subject themselves to the scrutiny and adhere to the recommendations and immediate outcomes, but countries are invited to work continuously on two areas which is what this Bill treats with. The first aspect of compliance for a country is the understanding that you are going to be assessed and the assessment is this bifurcation. One, do you have the laws to deal with the elements that should be legislated to prevent money laundering and financing of terrorism? *[Interruption]* Madam Speaker, the sound—*[Crosstalk]* Please? Thanks. And two, do you have the effectiveness in the application of your laws? So assessment through a mutual evaluation process where a team of assessors come to your jurisdiction on an on-site inspection basis, they look at, number one, do you have the laws and number two, how are you in terms in effectiveness.

The passage through the ratings by Financial Action Task Force through the Caribbean Financial Action Task Force involves a tiered approach towards assessment. Trinidad and Tobago, in 2005, underwent an assessment and observations were made that we were lacking with laws. In the period 2010 to 2015, we went through something called Third Round evaluation and then in 2015, January 2015, we went through Fourth Round evaluation. The Third Round evaluation is focused squarely on the technical compliance: Do you have laws? The Fourth Round is focused on the effectiveness of your laws and so the focus in Fourth Round is one that looks to see how many convictions do you have, how many prosecutions are in train, how well is your staff organized, how well are your institutions populated and how effective they are.

Trinidad and Tobago, in fact, Madam Speaker, was the first country to undergo Fourth Round mutual assessment and that is a very significant event. The normal approach taken is that CFATF has a schedule of how it is going to do these assessments. The schedule, in fact, ends in 2022. For some reason, the last Government took the view that Trinidad and Tobago should present itself as the first jurisdiction in uncharted and untested waters for Fourth Round Mutual Evaluation, and that having been the case, we were committed to being the first in line in an area where the consequences were not quite known. Our Third Round Mutual Evaluation popped up significant deficiencies and Trinidad and Tobago,

in its rush in the period 2010 to 2015 to be first in line to be assessed, applied for a merger of its third round deficiencies to be addressed into its Fourth Round report.

Now, I should say, Madam Speaker, Trinidad and Tobago managed very successfully in the period 2005 to April 2010 to remove itself from grey listing by the Financial Action Task Force and in particular, we were able, as a country, to see the PNM administration, then in office, bring the Anti-Terrorism Act, the Financial Intelligence Unit Act, the financial obligations rules and also bring into effect the Proceeds of Crime Act. Those four cornerstones are the laws which really anchor against money laundering and also anti-terrorism through the pushback against the financing of terrorism and terrorist activities.

Trinidad and Tobago, Madam Speaker, has been put into something called the Fourth Round enhanced follow-up process. In June of 2016, the CFATF produced its report on the plenary work which was done in September 2015. It published a report which said that Trinidad and Tobago had not fared well at all in certain areas and that it was required to be put into a process called enhanced follow up, meaning you have got to report on a constant basis to the supervisory bodies. And we were put into that enhanced follow up because we had low or moderate level of effectiveness in seven or more of the 11 immediate outcomes which deal with effectiveness of your laws, et cetera.

That also saw us being put into something called the ICRG process. Now, the ICRG process is the process where FATF has a sub-group and CFATF has a sub-group called the review group, which is what the ICRG really refers to, and if your jurisdiction has over US \$5 billion in financial assets, you are put into a named category of jurisdiction. Other jurisdictions falling under that \$5 billion marker go into something called the ICRG pool. In other words then, you are put there but you are not singled out for attention.

Now, I have taken time to explain this because very recently, we saw the Bankers Association step out and talked to FATF's statement of our enhanced follow-up and the work that Trinidad and Tobago is required to report on. That FATF publication was actually a very good publication for Trinidad and Tobago but the Bankers Association got it wrong, as we have had a meeting and they have confirmed to us that they, perhaps, needed a better understanding, because there is no grey listing in this Fourth Round process unlike the Third Round process where there, in fact, was treatment for grey listing. So that is the background.

Let us turn to the work of this Bill now. The work in this Bill seeks to bring to life remedies to observe deficiencies which appeared in the Mutual Evaluation

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Report as it is now published as a document of June 2016. The work in this Bill comes from an entity called—it is called NAMLC as an abbreviation. It is the coordinating body which deals with the national anti-money laundering work in Trinidad and Tobago. It is comprised of the divisions including National Security, the Central Bank, the FIU, a number of entities—the Attorney General and the Ministry of Finance, and then there is an inter-ministerial committee comprising the Minister of National Security, the Minister of Finance and the Attorney General, because these are the players involved, in terms of Ministries, that have supervision to drive this scourge and crime out.

This NAMLC work results in us treating with the following recommendations that are the headline recommendations for people who will actually look at the FATF Recommendations. We seek in this Bill to treat with Recommendation 3 which deals with money laundering offences; Recommendation 19 which treats with how you deal with high-risk countries; Recommendation 27 which treats with powers of supervisors; Recommendation 28 which deals with regulation and supervision of non-designated financial entities; Recommendation 29 which treats with the Financial Intelligence Unit; Recommendation 32 which treats with cash couriers; Recommendation 37 which treats with mutual legal assistance; Recommendation 40 which deals with other forms of international cooperation. And we also focused upon two of the immediate outcomes and that is IO2 which is the international cooperation and IO6 which is the financial intelligence heading.

Now, Madam Speaker, having put out those markers and I do so in a rather technocratic way because our parliamentary debates will be referenced, no doubt, by persons who review us, it is important to show that we are treating with the observed deficiencies as they are set and stated in our Mutual Evaluation Report. The five areas that we seek to treat with today are deceptively simple. In particular, the first clause, clause 2, treats with mutual assistance in criminal matters Act, and what we are seeking to do in clause 2 of the Bill, we are seeking to repeal, remove from the laws of Trinidad and Tobago an observed deficiency which relates to the central authority, that is the Attorney General, automatically having the ability to refuse to act on another jurisdiction's request for a tax offence.

Let me repeat that in a different way. The Mutual Assistance in Criminal Matters Act, Chap. 11:24, is the Act which says how Trinidad and Tobago will treat with mutual legal assistance requests. People may know it as extradition requests, best as a feature that is popular in Trinidad and Tobago. How other jurisdictions will treat with those requests from Trinidad and Tobago, how the

Commonwealth jurisdictions will be treated and how the non-Commonwealth jurisdictions will be treated. In section 22 of the Act, section 22(2)(k), there is a specific provision which says that a request shall be refused where it relates to a criminal offence under the tax laws and it goes on.

Trinidad and Tobago, as you know, in the “follow the money” enterprise, has committed itself to the reciprocal treatment by other jurisdictions. Let us anchor it in FATCA for example. Let us anchor it in the global forum for example. Those are decisions taken by the last Government which were carried through under this Government that we bind ourselves with an inter-governmental agreement of the type that we saw in FATCA. That we bind ourselves with observing the 142-country requirement in the global forum with respect to common reporting standards.

But in that treatment came this anomaly which is where Trinidad and Tobago has an expressed provision on its books that we will not treat with crimes relative to taxation. And Madam Speaker, as a jurisdiction which is committed and is active in the pursuit of “follow the money”, as our anti-corruption package which will come to Parliament very shortly will demonstrate, as it is met by our anti-corruption work, being it in relation to cartel activity or bid rigging or other matters which are in litigation, there is coincidence which now arises here in us prescribing for consideration by this honourable House the removal of this prescription which allows the Attorney General to refuse matters for extradition which are related to crimes of tax laws. That, of course, anchors into a commitment which the last Government saw Trinidad and Tobago make. That is the buy-in into the Berlin declaration which was done by the UNC Government in 2014 where we committed to declaration on transparency and fairness in tax matters. So it drives into a commitment made in the continuance of governance from one Government to the next.

Now, Madam Speaker, I am able to say that this particular provision was anchored in the old law which we borrowed from the Inter-American convention where the terminology that was used in section 22(2)(k) originated. However, Madam Speaker, I am able to say that as a result of our growth in our perspectives on taxation and in following the money, the might which can be had in ensuring that tax evasion is treated with, that one need only reflect on a Trinidad and Tobago rationale proved by the Taxation Information Exchange Act which we just recently did which spoke to FATCA. It certainly is also in our Mutual Assistance Agreement Order between Trinidad and Tobago and Canada. It is not without precedent in both the Commonwealth and non-Commonwealth. In

particular, Jamaica and the United States certainly have this formula and mechanism. In Jamaica's case, specifically, they allow for these provisions. Italy, the United Kingdom—many jurisdictions which we are now bound to by treaty and by mutual legal assistance operationality have this feature as an open feature and not in the form expressed by Trinidad and Tobago's current law which we now seek to amend by clause 2 of the Bill.

Clause 3 of the Bill, Madam Speaker, is one that is really within the definition of deceptively simple. Clause 3 of the Bill proposes, quite simply, that we delete in section 44 of the Proceeds of Crime Act, an interesting sub-clause and permit me to just pull that up. Section 44 of the Proceeds of Crime Act says:

“An offence committed under section 45 shall be known as a money laundering offence and the term ‘money laundering’ shall be construed accordingly.”

Subsection (2), which we propose should be deleted, says:

“The offence of money laundering is an indictable offence.”

Madam Speaker, this is really dynamite and I will tell you why. Currently, factually in Trinidad and Tobago, I look to the offences which we have which treat with money laundering and money laundering is an offence which is going to pop up in real terms by way of real examples in Trinidad and Tobago on the national landscape very shortly. Let me just say that. It is something which touches sensitive areas, but, Madam Speaker, currently if we leave the law such that it is done only by way of indictable procedure, we are going to fall prey to the circumstances that we have now.

Madam Speaker, by way of example without going into the litigation or proceedings that are going on, there are 17 individuals before the courts right now on a combined total 51 charges. That is for money laundering. We are talking millions of TT dollars and other currencies, et cetera. None of these matters have proceeded beyond preliminary enquiry, even though they have been in court since 2012, some of them. So we now stand in 2017, moving to 2018 and the preliminary enquiry procedure route is now taking advantage of this, and what we seek to do in this Bill is we seek to eliminate the prescription that you cannot do this thing either way, or by way of a hybrid offence or having an election to go summarily or indictably, and we remove the prescription against indictment only and we now add by way of an amendment to section 53(1) that you can take the offence as a hybrid offence or you can go either way.

Specifically in section 53(1), we propose that for a summary route that you have the ability for the offence to be met with a prescription of up to \$25 million—not in that language obviously—and 15 years’ imprisonment and for the indictable route that the offence is met with prescription of \$50 million and 30 years. Of course, these are limits set in law, it is open to the judicial officer to decide how it should be applied, and that is a maximum ceiling, not the automatic amount which you are met with. It is in judicial discretion to lever whatever the court sees fit in these circumstances.

So, Madam Speaker, when we talk about this Proceeds of Crime Act amendment and when we look to an anti-corruption package which is coming by way of legislation shortly and proceedings and litigation which are afoot and there are more to come, Trinidad and Tobago will be waking up to the mission of making sure that allegations of the perpetuation or the carrying of a crime are met with consequences in the shortest period of time.

Madam Speaker, of course, money laundering and our performance indices in this area formed a core concept of observation in the Mutual Evaluation Report. Specifically for those who would look, we are, of course, treating with effectiveness under immediate outcome 7, we are treating with Recommendation 3 when we look to the money laundering offence itself. And of course, this area of money laundering, this definition of “money laundering” contained in section 45 of the Proceeds of Crime Act is really a dynamite to criminality in Trinidad and Tobago. The problem we have had in this country is that there is seemingly no consequence to criminality, and by putting these procedures as we do, married, of course, with the Government’s stated intention to abolish preliminary enquiries as we will come to it shortly in the Bill that has been carried over, we now see that you have got to close the gap between allegation and conviction.

Madam Speaker, of course, we are treating specifically with observations made in the Mutual Evaluation Report particularly at page 118, paragraphs 452, et cetera, where assessors flagged the points of sanctions available under the Proceeds of Crime Act and the proportionality of sanctions to the Anti-Terrorism Act. So when you see this recommendation for \$25 million and 15 years as a summary offence, I am stating now that that is to keep it in harmony with the provisions for summary route under the Anti-Terrorism Act, and that is an observed mechanism and there is obvious precedent for it contained in the anti-terrorism legislation.

Madam Speaker, I turn next to clause 4. Madam Speaker, just for precision, could you tell me what time I am due to finish?

Madam Speaker: At 3.27.55.

Hon. F. Al-Rawi: Thank you. And that will be full time. Yes? Thank you. Madam Speaker, you see, this area is something which can allow you to speak for a long time and traversing the clauses in the Bill, you have to abridge some of the argument. [*Crosstalk*] Clause 4 of the Bill seeks to treat with the FIU. The FIU, the Financial Intelligence Unit is the cog around which suspicious transaction reports, suspicious activity reports are anchored. Those reports under the FIU legislation, which came into life in the period 2009/2010 when the PNM Government brought it into effect, those elements of supervision, that requirement for the FIU to engage in analysis and to receive suspicious transaction reports and to act upon activity by way of recommendation to law enforcement, which is all law enforcement, this FIU is really the cog to ensuring that we see results.

Now, the Government has, of course, significantly improved some of the manpower issues and supplementation of the work and augmentation of the responsibilities for the FIU, but the law which we seek to treat with here which is really treating with six aspects of the law, the FIU legislation and its regulations, we are seeking to take into the law, not only observations from the Mutual Evaluation Report, but also improvements. Because you see, this thing is a constant moving target. You cannot rest on your laurels, you cannot say, "Well, I have achieved this outcome" because the effectiveness is what drives Fourth Round supervision and reporting.

Now, Madam Speaker, in the first part of this, let us paint a landscape. Trinidad and Tobago has seen, if you look to the annual report of the FIU for 2015/2016, we saw 670 SARs and STRs for money laundering and we saw 69 related to terrorist financing. With respect to terrorist financing, let me put it into context. That was a 331 per cent increase over previous reporting period.

And this type of trending, people of Trinidad and Tobago asked a glorious question "Well, what is happening as a result of this?" The amendments as we treat in clause 4 of the Bill, seek to treat with some of these by way of improvements, and perhaps in my wrap up, I will have to give some better details of operational successes.

3.10 p.m.

First thing that we look at, if we look to clause 4(1)(a) of the Bill, we are seeking to amend section 2 of the Act by reformulating the reference to the Egmont Group. Now the Egmont Group, Madam Speaker, is the heads of FIU of many jurisdictions working together, in fact Trinidad and Tobago became a

member of the Egmont Group on July 03, 2013, and the Egmont Group is one which comprises literally every serious player for financial intelligence units around the world. The definition which we seek to amend is in keeping with the current language and it is in keeping with the recommendations made with respect to recommendation 29 and also to treat with the provisions which deal with effectiveness of supervision.

Madam Speaker, the Egmont Group is 152 financial intelligence units and the need to be in exchange, by way of reciprocal treatment, by way of spontaneous reporting, by way of requests, et cetera, is treated with in further amendments which we will come to. If we look, Madam Speaker, to the provisions for clause 4(1)(b)(ii) of the Bill, you will see something. We are seeking to amend section 8(3)(f) of the FIU legislation and here is what I just said put into context. It is a requirement that our spontaneous disclosure of information within the parameters of the law in fact happens and we seek to put in, that the FIU may, on its own motion, or upon request, disseminate information. That was an observed deficiency because our current law only really spoke to information upon request and therefore the need for spontaneity ties in with our requirements, not only under the FATF obligations but also under our tax information change operationalities as the FATCA Bill had and as Global Forum will have.

So, Madam Speaker, we are treating specifically with the mutual evaluation observations at page 8, at page 14, at page 20 where the FIU must, of course, engage itself in this kind of spontaneity. Clause 4(1)(c) of the Bill seeks to amend section 12 of the FIU Act. Now section 12 did not have a clear definition of how you were going to treat with financial institutions which had not complied with a court order.

Again, in the effort to make this thing more meaningful, to have a consequence close to an eventuality, the Government sought to introduce and we have it here at clause 4(1)(c) of the Bill; the fact that the financial institutions or listed business which refuses to comply with an order under subsection (1), commits an offence and is liable on summary conviction; again to make the passage of this thing an easier process. Of course, Madam Speaker, this summary offence and the process by which it flows makes for better operability of the FIU in its defined purposes at section 8 in particular of the Act and section 11 of the Act.

Clause 4(1)(d) of the Bill seeks to amend section 17 of the FIU Act, and in that we are seeking to insert the current language that jurisdictions use with respect to anti-money laundering or counter financing or terrorism, and we seek to amend

the language by instead putting the more modern formula of jurisdiction could have strategic anti-money laundering and counter-financing of terrorism deficiencies, because we have moved away from the old language as non-compliant or not sufficiently compliant. As we go through these evaluation processes, the compliance complexity has now moved us away from the old description and therefore, so we do not just blanket deal with people in a prejudicial fashion, we must put in these shades of colour as this language allows.

Madam Speaker, we are seeking as well, to allow for the FIU to publish notifications coming from the FSRBs, that is the FATF-style regional bodies, there are nine of them. It anchors back to how the whole system works, FATF only has 37 members it speaks for those 37, the other 153 members come from FSRBs the FATF-style regional bodies and therefore, we have sought to allow for the publication, specifically to meet the criteria with respect to high risk countries as I have outlined in the recommendations and immediate outcomes.

Madam Speaker, I turn next to clause 4(1)(e) of the Bill which seeks to amend section 18G of the FIU Act by inserting a new 18G through (2A) to (2E) inclusive. What does that mean? Section 18 of the FIU Act treats with how we deal with the aid to compliance under section 18F in particular of the FIU Act. Now, this is anchored to something called desk-based reviews, the FIU conducts on-site reviews and desk-based reviews and it is a formula and process set out in the FIU legislation by which the FIU can actually call for information and have information presented to it so that it can conduct reviews. It does it in a very formula process oriented approach where there is a first request, a second request, a third action item before it actually goes to a court of law and what we are seeking to do here to aid the desk-based reviews and therefore to avoid the expense of just going to court in the long run at the High Court in particular. We have added in sections now to aid compliance by saying where you have a request for disclosure and it is done in the process of the law as set out in the Act, the FIU Act, and where policemen are involved in having gone to the court to obtain a warrant, et cetera, that you can actually ask for the information.

But we have been very careful in our prescriptions to the Parliament, because we recognize that we cannot offend against the right against self-incrimination which is of course a constitutionally entrenched right and therefore we put in subsection (2E) as it is now proposed to be inserted that:

“Nothing in this section shall be construed as requiring any person to give any information which may incriminate him.”

—therefore avoiding any form of derogation away from entrenched rights as they exist in the constitution. Very interestingly in subsection (2D), we add that:

“A person who, when required to give information to a police officer in the exercise of his powers or the performance of his duties under the section, knowingly gives false or misleading information to any such police officer”—that that person—“is liable on summary conviction to a fine of ten thousand dollars and imprisonment for twelve months.”

You see what has been missing in the FIU is the ability to have teeth and consequences and therefore the vast majority of entities are not reporting in the fashion that they should.

Madam Speaker, I see my time is expiring quickly. Clause 4(1)(f) of the Bill seeks to amend section 27 of the FIU Act in that we are treating with a very important aspect, that is an amendment to the law so that we have an exception to the application of section 63 of the interpretation Act which would confine you to only \$500 dollars in penalty if you breach a rule. Of course, that is excepted by the fact that the law can prescribe otherwise and what we are seeking to do is to provide for the fact that you can do not only summary because some of these financial intelligence regulations aspects are very serious matters and the DPP may well want to proceed indictably as opposed to only summarily and therefore to give better proportionality in the law and reasonableness we propose the amendments to allow for either way, indictable or summary and for an improvement in the value of offence so that it is in fact a deterrent to non-compliance.

Madam Speaker, when we look to the FIU Regulations themselves, we are seeking to treat basically with the manner in which the law provides for the dissemination of information, that is in relation to regulation 19(1). We are seeking to treat with the manner in which financial institutions and listed businesses et cetera, the manner in which they report, that is in relation to regulation 26(1)(d)(ii). We are seeking to treat with the chain of having to come to Parliament to amend the schedule for forms—something as simple as forms which must be done by way of parliamentary action, we are seeking to treat with that by way of relaxing the approach to allow the FIU to develop its own forms and to be more quick footed and that is of course treating with regulation 28(1) and we are also seeking to amend regulation 29 which reduces the time frame for—

Mrs. Persad-Bissessar SC: Kindly give way, your time is running away. I would be very grateful if you could, just to clarify clause 6, because you are only on the FIU and you still have to get to Exchange Control. Clause 6, if you can let us know what is happening, because I see you are saying you cannot carry on your person when you are travelling more than—

Hon. F. Al Rawi: Sure. I am coming to that. Thank you. I have exactly a couple of minutes. Madam Speaker, in treating with the regulations, we have of course in regulation 29, the ability to harmonize it with the companies law. The time frames were out of whack with the companies law for change of directors, for registered office, et cetera, and we have harmonized that. Let me come to touch with clause 5 and then I will come to clause 6 quickly in the seven minutes that I have.

Madam Speaker, clause 5, which treats with amendments to the Customs Act is nothing short of dynamite. It is dynamite because we are seeking to give very important strength to the post-audit period for Customs, customs matters. Right now of course, the NER is full of references to Customs—please, Member for Oropouche East—the Customs reference is replete in the NER. When we look to customs laws and we recognize that Trinidad and Tobago relies on Customs to administer anti-dumping, value added tax, excise general, liquor licensing, breweries, spirit and compounds, registration of clubs, petroleum taxes, free zones, et cetera; when we look to this, Madam Speaker, Customs is the fourth largest contributor to the revenue of Trinidad and Tobago, \$4.15 billion last year came from Customs.

But, we have a hole in the law. We have an inability for the customs agencies to actually effectively implement their supervision, because the period for record keeping was too small. There was no offence for the failure to keep records. There was therefore no associated right to approach the Tax Appeal Board, to go for enforcement for failure to keep records, but more particularly, we were under-utilizing the post audit period. What we have done in this law is to allow for the Customs authority to not only prescribe the time frames in harmony with that which we do in Income Act, which is to take it to six years, so you are bound to keep your records for six years, not only the consignee or the importer, but also the customs officer, but you are also required to produce the information within 30 days and if you cannot do it within 30 days, such period as may be extended but for not more than three months. Of course, that is a rolling position, so that tightening the time frame for compliance and, very importantly, we are allowing for the first time the customs authority to go into the Tax Appeal Board to seek enforcement of its rights.

Madam Speaker, we have also sought in the Customs amendments to treat with the mechanism by which the Customs leveraging position is improved by having the consequence of not delivering consignee goods, et cetera, tightened up and very importantly, we are producing an offence, Madam Speaker, which was a very important item. We are producing an offence for failure to comply with the disclosure provisions. That simple offence is one which can radically transform not only revenue collection, it is not that, it can inform the processes by which the country can eradicate criminality: importation of cash, importation of goods which never see customs, importation of matters which Trinidad and Tobago may have—with guns, et cetera, found in containers and provisions.

But Madam Speaker, I want to say that these amendments are in line with the legal affairs committee of Caricom and they come out of the model legislation, so we have ample precedent to treat with the recommendations that are now before us and Trinidad and Tobago has of course been a participant of that.

I come to clause 6, four minutes and running. Clause 6, Madam Speaker, which treats with BNIs, which is bearer note instruments. Let me explain what a BNI is; a traveler's cheque, a bond which is payable to the person who holds it, that is, no name endorsed upon it. Those are bearer negotiable instruments. There was a loophole in our exchange control laws particularly in section 22 and section 23, and we did not treat with these instruments the way we should have, because they should be treated as cash. Cash is in fact, a dollar bill, whatever currency it is a bearer note of some sort and that can be value immediately transferrable by the person who holds the cash. Similarly, bearer notes fall into that category so we are plugging the loophole of the treatment of bearer negotiable instruments by putting them into the relevant supervisory control, you cannot enforce bearer negotiable instruments unless the Central Bank tells you. That is the first one.

Secondly, we make exceptions and we marry them exactly to the treatment of cash. So we are not going any further than the treatment of cash mechanism where we say, for instance, no more than TT \$20,000—under TT \$20,000 you can bring it in, over TT \$20,000 you must declare it.

3.25 p.m.

It is if you do not declare that you are liable to the provisions of section 212, 213 and 214 of the Customs Act where you can have forfeiture, et cetera, or you go down to 286, et cetera where there are enforcement mechanisms in the customs laws of Trinidad and Tobago, which are pre-1962 laws, I might add, but which work quite well.

The problem, Madam Speaker, is that we have not been filling the gaps consistently as a country. This area is massively important to Trinidad and Tobago. We are seeking to comply with material deficiencies so observed in our fourth round mutual evaluation process. We are seeking to marry it to our anti-corruption agenda. It is a direct dynamite to criminality, Madam Speaker. It allows for an equalling of forces for the first time possible, because it is only if you have sanctions and consequences which are meaningful to the cogs that actually carry out the law—customs, FIU, et cetera—that we are going to see some change in attitude in our country.

Madam Speaker, I think that this Bill is one which can be easily supported. I look forward to the views and recommendations of those opposite, and I beg to move. [*Desk thumping*]

Question proposed.

Dr. Tim Gopeesingh (*Caroni East*): Thank you, Madam Speaker. Madam Speaker, if I am not mistaken, this Bill that we are debating today was introduced in the House of Representatives, I believe in early 2017 and I did not hear the hon. Attorney General indicate what happened between then and now, what was the reason for the lapse and the reason for it coming now in a hurry. Is it because the FATF has put some pressures on the Attorney General and the country that is why he is hurrying it now and hurrying it in a dynamite fashion? I want to tell the Attorney General that to use “dynamite” you have to get a licence. [*Laughter*] I know you have a lot of passion this evening, a passion for the FATF and the CFATF and all these regulations that govern the CFATF. But the question is: why is Trinidad and Tobago still—after two years of your regime—included as a major money laundering country? That is defined by statute as one whose financial institutions engage in currency transactions involving significant amounts of proceeds from international narcotics trafficking.

You said that there are about 180 countries under FATF, and we have a number of Caribbean countries on CFATF, but there are about 80 countries and jurisdictions that have still been identified this year in this category, and we are lumped with 16 Caribbean and Latin American countries as still being a money laundering country. So we have had two years of this administration, under your watch Attorney General, and why are we still labelled as one of the 15 Caribbean countries as a money laundering country? And that also includes well, of course, Bahamas, Barbados, Eastern Caribbean states and Guyana, et cetera.

But we would have expected by now that the United States Department of State Bureau for International Narcotics and Law Enforcement Affairs, and in

their International Narcotics Control Strategy Report—Money Laundering and Financial Crimes, March 2017, they still have us there. It would be important for you to give an understanding to this population why are we still registered by the United States International Narcotics and Law Enforcement Bureau as being a money laundering country.

Because when you came here, just recently, and we heard you mentioning the amount of work that you said you did for FATF, and you possibly made the accusation that we did not do much work at all. I remember speaking about that indicating that the past Attorney General did a tremendous amount of work [*Desk thumping*] to get us out of the difficulty which we had inherited when we came in in 2010.

Madam Speaker, I want to indicate that this omnibus piece of legislation, and with an amalgamation of various Acts, we had passed this in November 2014—we had passed a similar Act with different amendments in 2014. The People's Partnership Government and the United National Congress can be proud of the fact that these pieces of legislation—we passed major pieces of legislation of the nature to strengthen the criminal justice system and the rule of law [*Desk thumping*] and we were very successful under Kamla Persad-Bissessar's administration and previously as well. The then Attorney General, Minister Ramlogan, piloted successfully a number of these, and let me just indicate which are they. [*Desk thumping*] The Judicial Review Act—[*Interruption*]

Mr. Al-Rawi: Which report is that?

Dr. T. Gopeesingh: It is not a report. I am giving you some facts—the Freedom of Information Act, the Proceeds of Crime Act, the Integrity in Public Life Act and the Equal Opportunity Act. And in 2014, in November, we had an omnibus piece of legislation which made amendments to most of these that you are bringing back down for subsequent amendments.

One important issue to raise here is that this legislation you are bringing here today, Mr. Attorney General, when we made that amendment in 2014—that was passed in the House of Representatives here on the 19th day of September, 2014—it was passed by more than a three-fifths majority. We want to find out now: why is it that you are moving away from that because these amendments affect important constitutional rights and freedoms of individuals? [*Desk thumping*] Some of the fines that I will speak about subsequently are, in fact, onerous and cannot be accepted in a nation when you want to fine people \$50 million and 25 years imprisonment for a civil matter. I will draw the analogy between other countries.

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So this amendment that we had made, the miscellaneous provisions, is almost the same pieces of legislation you have here: the Proceeds of Crime Act, the Anti-Terrorism Act and the Financial Intelligence Unit. All of these were passed here on the 19th day of September, 2014. I want to just read to remind you that:

“It is hereby certified that this Act is one the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than three-fifths of all the Members of this House, that is to say, by the votes of 36 Members of the House.”

So we brought similar piece of legislation in 2014, and it was passed by more than three-fifths majority where 30 people voted for it, and today the Attorney General is bringing this as a piece of legislation that does not require a three-fifths majority when we all know it abrogates basic human and fundamental rights of citizens. [*Desk thumping*] Later on, I will come to certain areas of this Bill.

Why is it that you want to remove or surrender the protection that section 22(2)(k) gives to the citizens of this country? Why is it that you want to remove this protection? What is the utility in making money laundering a summary offence when you know fully well that the Magistrates’ Court cannot deal with matters? If the High Court cannot deal with these matters, and you say that the Magistrates’ Court now—you want to bring it now into the summary courts you are, in fact, doing nothing to assist the situation. You have to strengthen what is happening in the higher courts rather than trying to bring—could you imagine—while I am on the point, Attorney General, you know that these types of money laundering cases and so on will involve major documents and volumes of documents, and that is why of the 17 cases you said people charged with money laundering in six years: Cops to provide data. These things cannot be done in an easy manner in the Magistrates’ Court. Where is the competence of the magistrates to deal with the issues of money laundering? So, therefore, bringing this in the summary court and bringing summary convictions, in addition to indictable offence convictions, I think you are not going anywhere with it and you are dancing top in mud.

So this aspect of our summary courts, they are not equipped to deal with money laundering prosecution because you do not have the proper facilities, you do not have the resource personnel and it will fail. The courts are also not physically capable. You know that in the San Fernando Magistrates’ Court, they run on a shift system already. So how would that type of weakness, ineffectiveness and inefficiency in the Magistrates’ Court system where you have to have a court running on shift: how are you going to implement these matters

from a money laundering perspective and have it done successfully? And you yourself said that out of the 17 charged with money laundering, in six years, not one of these has been successfully prosecuted. Not one has been successfully prosecuted.

The other area I want to speak about is: why are we giving the FIU the power to share information on its own motion? That was a power it never had before. You are giving the FIU a power to share on its own motion, and I will come to that in more detail pretty shortly.

Your Bill which you have brought is to amend a number of pieces of legislation, about six pieces: the Mutual Assistance in Criminal Matters Act, Chap. 11; the Proceeds of Crime Act, otherwise known as POCA, Chap. 11; the Financial Intelligence Unit of Trinidad and Tobago, Chap. 72; Customs Act, Exchange Control Act and Exchange Control (Import and Export) Order 1993, but the research shows that these six pieces of legislation affect really 10 major Acts. Ten major areas are being brought into this Bill. Well, of course, the Mutual Assistance, POCA, Miscellaneous Provisions of the FIU, the Financial Intelligence Unit Regulations, the Customs Act, the Territorial Sea Act, the Firearms Act, Chap. 16:01, the Exchange Control Act and the Exchange Control (Import and Export) Order. So, you are really touching on significant parts of major pieces of legislation in 10 different areas. So we have to be very careful about what we do.

The first area I want to go to is the Mutual Assistance in Criminal Matters Act, Chap. 11:24, and the Act makes provision regarding the scheme relating to mutual assistance in criminal matters within the Commonwealth, and facilitates its operation in Trinidad and Tobago. It also makes provision concerning mutual assistance in criminal matters between Trinidad and Tobago and countries other than Commonwealth countries. The Act designates a central authority, which is the Attorney General, who may delegate his functions, and all requests for extradition and mutual assistance made to and by Trinidad and Tobago are coordinated by the Central Authority Unit.

Madam Speaker, recently we had problems. We saw where there was a matter reported to the police of a person from the Central Authority being brought in a matter that the police is investigating. We believe that that person was employed by the Central Authority then left the job and is still being seen around in the Central Authority and in the precincts of the Attorney General's Office, and even being given a car park space in the Attorney General's Office. So the Attorney General will have to answer those questions, whether he believes that

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this Central Authority that you are giving so much authority to, whether the people of Trinidad and Tobago can trust that Central Authority. So that is a question you will have to answer. And what you are now giving that Central Authority? Why are you removing one of the 10 areas from that Central Authority? You have picked out—there are 10 areas that you have decided to pick out, and you said now that this Act establishes the procedure for the—let me just go back to this.

Clause 2 of the Bill proposes to remove one of the many powers granted to the Central Authority by deleting section 22(2)(k) of this Act which empowers the Authority to refuse a request that relates to a criminal offence under the tax laws of a Commonwealth country.

Madam Speaker, in one of our previous work together, I am sorry to say that the Attorney General obviously did not know his tax laws [*Desk thumping*] because he said there was no mutual taxation treaty between the United States and Trinidad and Tobago. The Member for Caroni Central will remember that as well. It is the Member for Diego Martin North/East who had to remind him that there were tax laws with a mutual treaty between Trinidad and Tobago and the United States.

Mr. Al-Rawi: That is not true.

Dr. T. Gopeesingh: So, yes, Attorney General, you had given wrong information at that time. So how can we trust you [*Desk thumping*] with giving information about tax laws in Trinidad and Tobago when you did not know a basic fundamental issue like that? [*Crosstalk*]

Under section 22(2)(k) it states that a request for assistance under the Act duly made by a Commonwealth country:

“...shall be refused if, in the opinion of the Central Authority—

(k) the request relates to a criminal offence under the tax laws of a Commonwealth country, save that the assistance may be granted if the offence is committed by way of an intentionally incorrect statement...”

But, why? You would know about a judgment given recently by Justice Boodoosingh where, on a particular matter that everyone knows in Trinidad and Tobago, in the High Court, CV 2010—04144 between two individuals and the Attorney General. And on that, the Justice indicated that:

“The decision of the Attorney General to order the extradition of the claimants to the United States of America is quashed.

It is declared that the appropriate forum to try the claimants in relation to the award of contracts for the construction of the Piarco Airport, and in particular contracts CP 9 and CP 13, is Trinidad and Tobago.

It is declared that it would be unjust, oppressive and unlawful to order the extradition of the claimants and that extradition is debarred by the operation of section 16(3) of the Extradition Act of Trinidad and Tobago. Having regard to my clear finding on this issue I do not think it necessary to make an order of prohibition. The effect ought to be the same.”

Finally, he indicated:

“The defendant must pay the costs of the claimants...”

The claimants were Ish Galbaransingh and Steve Ferguson and the defendant was the Attorney General.

So it is left to the Central Authority to refuse certain aspects of when they are asked to provide some mutual assistance, but now you are quashing that altogether. How will that fit in with what you want to do with the judgment of the court that has already been determined and it has been set as to what is happening? You want to pass legislation when it has already been determined in the High Court that not all cases of mutual assistance must be given, there are certain areas that you have to hold back, and the Act speaks about it now. So why are you taking out one area of the Central Authority, removing it, so that mutual assistance will be given freely willy between all countries and Trinidad and Tobago? That is not correct and it should not be done. So we oppose that amendment in this Bill.

Then let me talk about the Proceeds of Crime Act. The Act establishes the procedure for the confiscation of the proceeds of certain offences. The Act now also contains provisions relating to the criminal offences of money laundering which were added in 2014 by us, under the miscellaneous provisions omnibus Bill which was made into an Act. Now, section 44(1) of the Proceeds of Crime Act establishes the offence of money laundering. Section 44(2) makes the offence an indictable offence and section 45 defines the offence of money laundering as when a person knows or has reasonable grounds to suspect that property is criminal and so on.

Under that, we hear today—we hear every day in and out of this Parliament, words being spoken by the Attorney General, by the Member for Port of Spain

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South that we are coming for you. We are coming for you under follow the money. We are coming for you on money laundering issues, every day. You just say that you have dynamite in your system, dynamite things are going to be coming into the country pretty shortly, the people will see this and that happening. Every day you are threatening. Is this piece under the Anti-Money Laundering Act designed particularly by you all to go at certain individuals, to attack certain individuals? You want to lock up everybody? So you all have to give some explanation on this. Every day, every day.

So this issue of the Proceeds of Crime Act, when they confiscate your property, they are giving that property across to a Permanent Secretary in the Ministry of National Security, and that Permanent Secretary decides how much money they are releasing for you to fight your case. So they take everything from you that you work your life for, they concoct some stories, they charge you under money laundering and then they seize your property and they put it in the hands of the Permanent Secretary of the Ministry of National Security and the Ministry of National Security says: “I ain’t giving you no money to fight yuh case.” So how are you going to fight your case without lawyers’ fee? They are not giving you any money, so you have to make a jail. [*Crosstalk*] So you are putting it in the law now. [*Desk thumping*] You are putting it in the law, it is not the court. [*Crosstalk*] We know fully well what you all are doing. I went through that, you know. I went through that in 2002.

Hon. Members: Tell them. Tell them.

Madam Speaker: Member? Member, I just want to ask you to stick to the amendment that is before us. Okay? Please continue.

Dr. T. Gopeesingh: Listen to this, Madam Speaker. You are not allowing me to speak about my personal issue, because I am speaking—[*Interruption*]

Madam Speaker: If it relates to what is here, and you have not made the connection.

Dr. T. Gopeesingh: The law is draconian, it is oppressive [*Desk thumping*] and it is against the fundamental rights and freedoms of individuals, and my fundamental freedom and right was pulled to the courts and I had to spend millions of dollars and four lawyers to free myself from charges not known to law. [*Desk thumping*] In 2002, in 2002. It took me two years—for anybody to concoct something, charge you with something, but you have to go through years to defend yourself in the High Court, in the Magistrate’s Court, the Appeal Court and the Privy Council. [*Crosstalk*] Embarrassing. And my reputation and

integrity in 2002—I was a doctor for 28 years then being one of the best in the Caribbean [*Desk thumping*] and my integrity and professionalism was pulled through the coals, but no PNM can take that away from us. No PNM can take that away from us.

Madam Speaker: Might I ask which clause it is that you are addressing?

Dr. T. Gopeesingh: I am coming to it. This is the clause—the section 44(1) and section 44(2) and section 45 which says: A person who commits the offence of money laundering is liable on conviction on indictment to a fine of:

“...twenty-five million dollars and to imprisonment for fifteen years”

Under section 23(1) of the Act. They are now bringing that—the same summary conviction which was an indictable offence, which was \$25 million and 15 years—[*Crosstalk*] Madam Speaker, I am being disturbed by this man, the Member for Laventille West.

Hon. Member: Who ran away from the airport?

Madam Speaker: Member for Caroni East.

Dr. T. Gopeesingh: Under the present legislation, if somebody is fined with an indictable conviction—it is \$25 million and 15 years—now, you are bringing the value for a summary conviction and you are increasing now the indictable conviction to \$50 million and to imprisonment for 30 years.

So my point, Madam Speaker, people concoct something and you have a pliable system in Trinidad and Tobago where you go through the courts, you are fined and convicted, and you have to end up in jail for 35 years and pay \$50 million on something that is concocted and trumped up with charges in a system that is inefficient and a system which is pliable and can be used by the State to go against people.

The next area I want to go to is the FIU, and it implements the recommendations of FATF on money laundering and the financing of terrorism. In carrying out its functions, the FIU must engage in the exchange of financial intelligence and information with members of the Egmont Group. We will agree with you on that, that clause 4 of the Bill proposes to change the definition of Egmont Group found in section 2 of the Act, and now it is being changed to subscribe to the “Egmont Group Statement of Purpose and its Principles”. We have no quarrel about that. That is reasonable.

3.55 p.m.

Now, section 8(3) of the Act provides the details of certain functions assigned to the FIU. Clause 4 of the Bill further proposes to amend the section, specifically in subparagraphs (c)(ii) and (f) by broadening these provisions and thereby further empowering the FIU. And so for clause 4 now of the Mutual Assistance and Criminal Matters Bill, this Bill proposes that section 8(c)(ii) be amended so that the FIU shall collect information as required for tactical analysis; in order to generate activity patterns, trends and typologies, investigative leads and identify possible future behaviour. But what is the sting in the tail is that clause 4 of the Bill proposes that section 8(f) be amended so that the FIU may, on its own motion, or upon request disseminate financial intelligence and information to local and foreign authorities, and affiliates with the intelligence community.

So what do you mean by its own motion? The FIU taking it upon themselves to give information to anybody else? Why was that brought out? Is there a clandestine thinking behind that, that is now going to be reflected in law? What it means by, on its own motion? FIU had certain regulations to be governed by and to share information when asked. *[Interruption]*

Madam Speaker: Member for Caroni East, your original 30 minutes are now spent, you are entitled to 15 more minutes if you wish.

Dr. T. Gopeesingh: Thank you.

Madam Speaker: You may proceed.

Dr. T. Gopeesingh: Thank you. *[Desk thumping]* So we want an answer, what you mean by the FIU on its own motion?

Now, let us look at another area under the Mutual Assistance in Criminal Matters Bill. You have clause 4 of the Bill proposes to amend, so that it reads the FIU shall publish, as frequently as is necessary:

“...by notice in the *Gazette* and in at least two newspapers in daily circulation in Trinidad and Tobago, a list of the countries identified by the”—Financial Action Task Force as jurisdictions that have—“strategic anti-money laundering and...”—counter financing of terrorism deficiencies, example Trinidad and Tobago.

So you are moving it from, as is necessary, frequently as is necessary, now it is going to be identified by the Financial Action Task Force. So Trinidad and Tobago would be listed, from time to time, as not in conformity with the CFATF

and the FATF regulations and, therefore, we will still continue to be named as a money laundering country.

Now this is a very critical and important area where the FIU can work with a warrant under subsection (2), and the FIU can ask for a warrant and may include the requirement to provide a police officer with any information, or any explanation on any information in accordance with subsection (1)(b). And it goes on to say, (2C):

“Without prejudice to any other written law, a person—

...commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for twelve months.”— who:

“(a) wilfully obstructs a police officer in the exercise of his powers or the performance of his duties under this section;

(b) wilfully fails to comply with any requirement properly made to him”— which is the police officer—“by any such police officer; and

(c) without reasonable excuse, fails to give such police officer any other assistance which he may reasonably require to be given for the purpose of exercising his powers or performing his duties under this section,...

So the FIU now gives the interaction of the individual who is being questioned to be—a police officer comes and serves a warrant; he may say that you are in fact resisting, you are wilfully obstructing him in the exercise of his powers, or the performance of his duties under this section, and you end up being charged. Now tell me, in today’s scenario when you see police officers being involved in negative and deleterious issues in the country, and before the courts on a regular basis, how can we trust a system where a police officer can come and say he has obstructed me in the performance of my duty and in the exercise of my powers? He did not comply with any requirement properly made by the police officer so he lays a charge, a charge is laid against you for not complying, for obstructing, and failure to give the police officer any other assistance. That could happen right there.

So in today’s setting in Trinidad and Tobago, should we be passing legislation to give police officers that authority so that anyone of us; it could happen on their side, our side, the general population—you tell a police officer, “x”, he says, “y”, and he says you obstructed him, you did not give him the information and you are charged. Now you are charged and you are fined \$10,000, and so on. So we want answers to that, whether the FIU should be working with the police department in the way that this Bill means it to be done.

Now, another point, section 27 of the Act provides that the Minister may make regulations necessary for carrying out or for giving effect to the Act, and those regulations shall be subject to the negative resolution of Parliament. We do not want no negative resolution of Parliament. [*Desk thumping*] Negative resolution of Parliament, you could slip in something, whether it is something like carnival or Christmas, and for 23 days you have not seen it; the Opposition has not seen it. Bring the resolutions here and we will deal with it by discussion. [*Desk thumping*] So we want affirmative resolution here. Yeah, we want affirmative resolutions here.

And another area, clause 4 of the Bill also seeks to amend the Financial Intelligence Unit Regulations, 2011, made by the Minister under section 27. Six amendments have been set out. Regulation 19(1) allows “the Director of the FIU to disseminate financial intelligence to local authorities and enforcement agencies on his own motion or upon request.” I ask the question. Within regulation 28(1) provides “that the form for the registration of a supervised entity shall be approved by the FIU.” Alright, we have no difficulty in that. The registration form for all financial institutions, and so on, can be approved by the FIU. Within regulations 29 and 29A, “shorten the time period for notifying the FIU of a change in registered office of a supervised entity or of a change in Directors, Owners, Partners, or Compliance officers, respectively, from six months to thirty days.” If the financial institutions change the directors, they change the address, they change the place, how feasible it is to give that information which was allowed six months before, you now want to give it 30 days? You have to look at that again. That is not practical. You cannot bring it down from six months to 30 days.

And another one, within the schedule to the regulations which contains the prescribed form permit the FIU to develop its own forms and thereby make changes when required. So this is an institution acting on itself without any checks and balances. They are making their own form. The FIU making their own form, where is the supervision of this? Why is the FIU allowed to do this on its own?—and we do not agree with that at all.

Now, clause 5 of the Bill proposes to amend this section so that it empowers the Comptroller of Customs; that is the Customs amendment, to adjust the value of goods accepted by an officer within six years from the date of entry of the goods via a notice in writing to the importer. Have you done any consultation with the business community? You want them to keep information for six years on every—they are bringing containers of things; they have to keep a detailed

listing of all these things for six years and you are seeing nothing wrong with that? How feasible and how practical it is for somebody—did you get the concurrence of the business community? When they hear this is what is going to happen, the business community hearing that they have to have all the information kept there for six years, you could imagine what chaos going to happen in this country? And then if you do not file an action within that period of time you are prevented from bringing any other shipment into the country. So you cannot give the information, then the business gone, because they are prevented from bringing any further shipments. Madam Speaker, how much time do I have again?

Madam Speaker: Just under six minutes.

Dr. T. Gopeesingh: Three minutes.

Hon. Member: Six.

Dr. T. Gopeesingh: Six.

Now, they talk about importation of firearms and areas related to firearms, and they want to put regulations, and so on, that is fine, but I want to ask, what is the Government doing? What is the Minister of National Security doing? Is only talk and “ole” talk on a daily basis, and come and give professorial discussions that cannot do anything from a practical perspective to get the crime down. We will do this, we will do that, we will do that; what are you doing about the children who are having rifles, long-range rifles and on Facebook, [*Desk thumping*] but you are coming with legislation to ban certain things from coming in. It is already coming in the country so what are you doing about it? Absolutely nothing!

So the Customs Act wants people—and you know who will be affected in this Customs issue to keep things for six years? It requires every importer, exporter, agent, customs broker, customs clerk, warehouse-keeper, operator of a port, transit shed; those who are operating in a transit shed, sufferance wharf, conducting transactions under this Act, or any other Customs law, to keep, or cause to be kept, all books, records, documents, and other information related to the transaction for certain periods of time.

So the question on clause 6 was answered. Our Political Leader and Leader of the Opposition asked that in terms of what is considered bearer negotiable instruments, and so on, and I am sure we will have some more discussions on that. But from my knowledge, in terms of—is it something new? Because the Customs and Excise Division had already had this declaration of currency or monetary

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instruments. But the real question is, why has the Central Bank got to be involved in this? So anything you are bringing into this country, monetary instrument, anything that you are sending out of the country, monetary instrument, the Central Bank must get the information. At the moment it is the banks. The banks have to deal with it, why does the Central Bank have to deal with this now? So that the Government will get to know who has what, who is bringing it what, who is sending out what. Yeah, that is the implication, to “macco” what is going on.

So, Madam Speaker, to summarize this, we say there has not been enough or has been no consultations on this issue. The business community, the Criminal Bar Association, the Law Association need to be consulted on this, which we did in the 2014 legislation. [*Desk thumping*] We say that you cannot pass this legislation with a simple majority, this needs at least a three-fifths majority because it abridges certain fundamental constitutional rights of citizens. [*Desk thumping*] These fines, and so on, are onerous, and that interferes with section 5(2) of the Constitution. And so we ask that this be sent to a Joint Select Committee [*Desk thumping*] so that discussions will take place, and we will hammer it out just like how we hammered out the FATCA. We want to pass legislation but it must be good legislation for the benefit of the people of Trinidad and Tobago. Thank you very much, Madam Speaker. [*Desk thumping*]

Madam Speaker: Leader of the House.

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 50(3), I beg to move that debate on the Miscellaneous Provisions (Mutual Assistance in Criminal Matters, Proceeds of Crime, Financial Intelligence—Madam Speaker, can you give us a couple of moments and just stand down for me to have a quick word?

Madam Speaker: So, by agreement, the House will be suspended for two minutes.

4.10 p.m.: *Sitting suspended.*

4.13 p.m.: *Sitting resumed.*

Madam Speaker: Leader of the House.

Mr. Young: Madam Speaker, in accordance with Standing Order 50(3), I beg to move that the debate on the Miscellaneous Provisions (Mutual Assistance in

Criminal Matters, Proceeds of Crime, Financial Intelligence Unit of Trinidad and Tobago, Customs and Exchange Control) Bill, 2017, be adjourned.

Question put and agreed to.

Madam Speaker: Hon. Members, it is now 4.14. I propose that we take the suspension for the tea break now and we would resume at 4.45.

4.15 p.m.: *Sitting suspended.*

4.45 p.m.: *Sitting resumed.*

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

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) (NO. 2) BILL, 2017

Order for second reading read.

The Attorney General (Hon. Faris Al-Rawi): Thank you, Madam Speaker. I would not comment on the Opposition numbers standing at two. Madam Speaker, I beg to move:

That a Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50, be now read a second time.

Madam Speaker, it gives me great pleasure to pilot this particular amendment to the Motor Vehicles and Road Traffic Act, Chap. 48:50, and so important a concern is it for the people of Trinidad and Tobago that in fact we agreed to stop the last debate that we were on so that we could treat with this, because it is high time that we now communicate the deliberations of the Government relative to the speed at which our nation's roads can move, the persons using the road can move, and actually treat with it in both Houses. You see, Madam Speaker, people may very well ask, why is it that the speed limit cannot just be applied by way of a simple change. And many people in fact in Trinidad and Tobago said, but you all changed the speed limit recently and you did not have to go to Parliament, but the truth is, Madam Speaker, that Trinidad and Tobago did not have a government that changed the speed limit to 80 kilometres per hour or 50 kilometres per hour outside built-up areas and inside built-up areas.

What we did is we applied the law, and in applying the law we took use of technology permitted under section 61 onward, 62 onward from the Motor Vehicles and Road Traffic Act and we just simply applied the law. And very interestingly in Trinidad and Tobago that conversation happened as to whether culture should change law or whether law should change culture, and in the imposition of the law, in holding the law fast and saying that we will apply the

existing speed limit, Trinidad and Tobago saw the operationalization of technology in 2016 which allowed us to reduce the nation's speed. In fact, it was a very difficult exercise for many people, Madam Speaker. People complained bitterly that Trinidad and Tobago was now left in a position where the speed was too slow. People complained about getting to work and taking extra time, but in Trinidad and Tobago, Madam Speaker, we had a successful experience, and that was if you have the appropriate sanctions in law you can change culture, and the speed gun implementation is really testimony to that. It is also evidence of the need in other laws where we seek to apply appropriate sanctions to errant activity or criminal activity, or activity which is intended to be restrained, and the conversation is now in applying the laws in an effective manner.

Madam Speaker, this Bill before us is a very simple Bill but it took a while to take us to this point, and permit me to explain why. So the Bill before us is simply to provide for enforcement of new maximum speed limits on specified classes of motor vehicles, outside and within built-up areas, and it can also allow the Minister to amend a schedule to the Act by Order, subject to negative resolution of Parliament. It is literally two clauses long, but it belies the amount of work that it took to come here. Now, Madam Speaker, I want to say this, Trinidad and Tobago experimented with the exercise of perfection. As it relates to our motor vehicle and road traffic laws, we for far too long embarked upon a journey of trying to come up with a perfect law. In fact, in the last Government's tenure there was an exercise which was uncompleted, what this Government said is that we will treat with the laws step by step, layer by layer if necessary because the Parliament is there to do work as it is moved. But in treating with road traffic offences, in particular, what we have done is to say to Trinidad and Tobago that we consider motor vehicle and road traffic legislation and the application of the law to be directly involved in the fight against crime.

That is why we came with a motor vehicle and road traffic amendment to the laws which introduced red-light cameras, which introduced demerit point system, which introduced significant reforms into the way in which we treated with ourselves, in particular, for the utilization of courts where we decriminalized the traffic offences into traffic violations, and by doing that, Madam Speaker, we have come now on a second step.

The current law, Madam Speaker, which really can explain why we are here doing what we are doing is to be found at section 62 of the Motor Vehicles and Road Traffic Act, that is Chap. 48:50, and permit me to explain it by actually reading the term of the clause. It comes under Part V, which is "Driving and

other offences and general conditions relating to the use of roads”. Section 62 reads as follows, subsection (1):

“Subject as hereinafter provided, it shall not be lawful for any person to drive a motor vehicle of any class or description on any road—

(a) outside a built-up area at a speed greater than the speed specified in the Second Schedule...”

And it goes on:

“(b) within a built-up area at a speed greater than the speed specified in the Second Schedule...

(c) whether outside or within a built-up area, in respect of...a special speed...imposed, at a speed exceeding the special speed...imposed in relation to a vehicle of that class or description.”

So section 62 says, you cannot drive on the roads of Trinidad and Tobago prescribing a limit set out in section 62 which is tied into the schedule.

We go on to say in subsection (2):

“The Minister may by Order impose a special speed limit with respect to any road, whether outside or within a built-up area, or any part of”—a—“road, in relation to motor vehicles generally...”—et cetera.

Then we go on in section 62 to treat with the Chief Technical Officer having a role and function within the estimation of what a special speed limit should be, and we then go down, any person who drives a motor vehicle on any road in contravention is liable to a fine of \$4,000 and to be disqualified from holding a driver’s permit. And then we provide a defence saying that it shall be a good defence for a person who basically broke the law that he did not know of the circumstances of that road being prescribed in the very careful language in subsection (5).

Madam Speaker, when we come down to subsection (7) of this particular clause it says this:

“Subject to affirmative resolution of Parliament, the President may by Regulation amend the Second Schedule.”

Let me repeat that:

“Subject to affirmative resolution of Parliament, the President may by Regulation amend the Second Schedule.”

Now, President is read as Cabinet, as interpreted by law, but to treat with the matters in the Second Schedule and, Madam Speaker, those matters in the Second Schedule are as follows, there are set out, the parameters of the Second Schedule—speed limits is what it is called—on the left-hand column you deal with the class or description of vehicle, and it sets out from (a) to (g), the particular types: tractors, vehicles with trays, goods vehicles which exceed 2,500 kilogrammes, goods vehicles which do not exceed 2,500 kilogrammes; private motorcars with trailers, and any other motor car.

4.55 p.m.

Madam Speaker, but the law in the Second Schedule in the right hand column tells you that for any vehicle, basically, 80 kilometres per hour outside a built-up area and within a built-up area, 50. If you are treating with a bus you are looking at 65 outside a built-up area, and 50 within a built-up area, and if you are treating with those class of cars which are 2,500 kilograms, just over that 2,500 kilogrammes it is at 65 kilometres outside a built-up area, and 50 kilometres within a built-up area.

Let us translate that into simplicity now. Section 62 of the current law in subsection (7) says that if you want to change the speed limit set out in the Second Schedule, you have to move the Parliament, have a debate on this by way of affirmative resolution to amend the Schedule. This law came about pre-1962. This law, in fact, has been around for almost 100 years. This became law, this is Act No. 42 of 1934, and there was an ordinance before that; that is where I came up with the 100 years.

But in 1969 when these laws were being treated with, the speed limits were cast. In 1969, the road conditions were very different. The number of vehicles on the road, the engineering specifications of roads were very different. In fact in 1969, the main traversing roads were the minor roads as we now use them, the Caroni Savannah Road, the Southern Main Road, et cetera. I recall vividly my grandfather telling me the story of going from Tableland, where he was born, to Port of Spain on the back of a donkey cart along those roads and the days it would take to get to Port of Spain along those same roads. But the laws as cast right now, designed in 1969, prescribed that Parliament should move itself to amend speed limits. So the average citizen may not know the law is as archaic as that, and that the law really requires the Parliament to be involved in something which quite frankly should be left to the technical engineering specific divisions of the Ministry of Works and Transport, for recommendation to a Cabinet based upon

evidence within the context of section 62 of the Motor Vehicles and Road Traffic Act, so that you do not disturb Parliament for this.

What this Bill proposes is that Parliament is now invited to amend the parent law, change 62 subsection (7), remove it from affirmative resolution amendment to the Second Schedule, which is the speed limits. Instead, allow for the Minister to have an Order published which is then subject to negative resolution. That way, Parliament scrutiny is not removed. It is open to a Member, once the Order is published within 42 days of the actual sitting time calculation that Parliament does, to bring a Motion to negative the Order.

Madam Speaker, the truth is, to conduct the review of this law to change the speed limit, there was a very complicated exercise that had to be performed by the Ministry of Works and Transport. What was that? The definition of “built-up area” defined in the Act says it is Port of Spain, it is San Fernando, those two cities or it is the borough of Arima, and it is any other place that may by Order be prescribed to be a built-up area. Everything else is considered outside a built-up area.

But, Madam Speaker, you know that in 1969 we did not have the Churchill Roosevelt Highway the way we have, Uriah Butler Highway. We did not have the Claude Noel Highway, we did not have the Rienzi Kirton Highway; we did not have the Diego Martin Highway. The large arteries that we now have were not in existence nor designed in the manner they are now. Indeed, in the period 1962 to date, we have had road widening, we have had improved security features onto the road. We have introduced the New Jersey Rail Barrier System, the thermoplastic guides for line identification and markers. We have put in the railing system; we now have a system of interchanges and flyovers, so that you are no longer rushing to a red light to then cross.

And what we have had happen is a development from an engineering perspective which makes the roads of Trinidad and Tobago difficult to map out from what is inside a built-up area, to what is outside a built-up area. The Engineering Division and the Ministry of Works and Transport had to physically go and visit all of our roads, primary and secondary, and all of our ramps along primary and secondary roads, and come with a redefinition of what a built-up area is and what a non-built up area is in the form of Orders to be issued by the Minister as the parent law is amended.

So, Madam Speaker, to change the speed limit we had to look to the engineering categorization of the highways and then decide where does a built-up

area actually go, because we had this anomaly where you are passing, for instance, Chaguanas, or you are passing on your way to Couva or you are passing where the interchanges now exist at Grand Bazaar or elsewhere, and you would have to go through this exercise of speeding up and then slowing down, and then speeding up and slowing down as you began to intersect between built-up and not built-up within the definitions of law, and it made a nonsense for the application of law.

So what we have done, we are proposing for the Parliament to consider the amendment of the Second Schedule. We are proposing that the Second Schedule henceforth only be done by way of Order, subject to negative resolution, and then we shall be issuing notices, Orders which speak to special limits under the Minister's hand. And those special limits would be contained in the prescriptive speeds on the ramps, every single ramp in Trinidad and Tobago, and also how we treat with the merger in coming into ramps. So we now define in law—and this will come by way of a combination between the parent law and the Orders—we are now going to define that everywhere in Trinidad and Tobago is a built-up area, except those which we now list as non-built up areas. So we simplify the law.

We have taken the task to literally go through each and every road in Trinidad and Tobago. We have mapped out each and every ramp in Trinidad and Tobago. I would like to say this to the good people of Tobago. Tobago was dealt with in 1969 and in 1979 when there were amendments to the law, such that you could not drive at a speed beyond 50 kilometres per hour, if I am correct, as I look to the technocrats who are in the Parliament Chamber as well. So there is a discrimination between the laws of Tobago, as they apply in Tobago, and the laws in Trinidad and Tobago. Notwithstanding the fact that you have a highway in Tobago as well.

What we are proposing specifically now in relation to this, if we look to clause 2 of the Bill, that amendment at section 62(7), you delete “affirmative resolution of Parliament the President may by regulation”, substitute it with negative resolution of Parliament, “The Minister may by Order”. We are now proposing specifically that the Second Schedule be amended in two very important ways. One, by taking account of the modern engineering and utilization of a particular class of cars. “T” vehicles which are used for private purposes, SUVs in particular, are now engineered to be very different from the Buick and Ford types of trucks which existed in 1969 and 1979. These have now become passenger cars within the meaning of motor vehicles, but their tier weight is at a sum higher than 2,500. They are in fact at 3,200.

What we have sought to do is to now provide in the law the acknowledgement that these SUVs will no longer be bound to drive at 65 kilometres per hour. They will be allowed to join the class of other vehicles that can drive at 100 kilometres per hour, as we now seek to make that amendment. And why? We are doing that because the platonic movement of cars on our nation's road have to be factored. If you have in a system of traffic a standard vehicle, an SUV, moving at 65 on a two-lane highway, you are going to slow down the entire platonic movement of the cars. Therefore, in the modality to make sure that we make sense of the law and move vehicles at a correct pace, whether it is at 1,200 cars per hour passing at a particular point or not, some other figure, you have to factor what is referred to in engineering terms as the platonic movement of the traffic flow. So that is the first area inside of the amendment of the Second Schedule that bites.

All of these SUVs 3,200 kilogrammes will now be excepted from the pickups, Hiluxes, all of these common vehicles on the road right now, Nissan Navara, whatever the car may be, these are now in the class of ordinary vehicles which will be permitted to travel at the speed limit of 100 kilometres per hour outside of built-up areas, and if you are in a built-up area it is 50 kilometres per hour.

The second thing that we do is what I have just referred to, we changed the speed limits. What we are doing in the amendment to the Second Schedule is we are seeking to change the speed limit, instead of 65 kilometres per hour we are going to 100 kilometres per hour, that is for the 3,200 kilogramme vehicles, the pickups, et cetera, and instead of 80 kilometres per hour for ordinary vehicles you can now move at 100 kilometres per hour.

I wish to caution the good people of Trinidad and Tobago that merely discussing this in the Parliament does not make it a fait accompli, because we must pass this law through the House of Representatives, then to the Senate. After the Senate we must then have His Excellency the President assent to the law and it becomes part of the laws of Trinidad and Tobago. That is why we stopped the last Bill. We stopped the last Bill so that we could deal with this matter now, because people are anxious about it.

Madam Speaker, I want to tuck this into the context of the work that we have done. It is very important to note that in the Government's view we consider use of the roads to be directly related to national security. People commit crimes and hardly ever make their escape in a donkey cart. People commit their crimes and most usually jump into a stolen vehicle, or some people brazen enough to just use their own. *[Interruption]* Yes, and there are other ways.

What we have done in tightening the noose on the utilization of roads, in particular in the last set of amendments we did to the Motor Vehicles and Road Traffic Act, what we have done in relation to that and in the introduction of the measures that we have for red light camera enforcement, for decriminalization offences to violations, for the movement into the demerit point system, in doing that we freed up the courts, taken 100,000 cases out. But passing a law and operationalizing a law are two different things. So I would like to just touch very quickly on the fact of where we are on operationalization.

There was massive effort—and I wish to pay an open compliment to the very hardworking people at the Ministry of Works and Transport. [*Desk thumping*] They have really extended themselves beyond belief into an area of performance that I think is admirable. Secondly, the Judiciary of Trinidad and Tobago, the Trinidad and Tobago Police Service, the office of the Attorney General, the public servants and members that work there, the Traffic Management Branch and the IT systems of Government.

I am very pleased to say for the provision of a driver's permit via a centralized computer system, which obviously you have to have if you are going to use demerits, et cetera, I can tell you that is completed. For the implementation of a data centre for hosting licensing electronic system database, that is completed. For the modification of forms, drivers permit transactions, vehicle registration transactions, we estimate to complete that by December 2017. For the online application request for drivers' permits and renewals, that would be done by February 2018. [*Desk thumping*] Data sharing with the police is completed. Implementation of computerized vehicle registration system—completed. Online access to basic vehicle records, which you are going to have the police and licensing officers have access to—completed. Printing of certified copies at all licensing sites, that is earmarked at four sites already completed, but the full gamut will be completed December of this year. Printing of certified copies at TTPost, because getting your certified copies and, “allegations” of corruption involved in that, is to be dealt with by a TTPost printing aspect. That is earmarked for March of 2018. Vehicle pre-inspection port at the Licensing Authority at Frederick Settlement—completed. Electronic ticket system hand held device enforcement officers, we estimate April 2018. Data sharing with the police on a real-time basis, again, completed.

What does this mean? This system of making electronic information available is to be married with a very important improvement which is coming, which is the ability to pay online, which is the ability to be cashless in the Licensing Authority

and, as you will see soon enough in the Registrar General's Department. By moving into a cashless environment, by putting the structures of implementation for data management, we are well on our way to operationalizing the Motor Vehicles and Road Traffic Act, so that we can have the effect of removing 100,000 cases from the courts. We can have the effect of having the Trinidad and Tobago Police Service better able to perform their core functions, which is to treat with crime, as opposed to turning up in court 100 per cent of time to have 30 per cent product; because that is what happens, they go to court every time as their witnesses are required to be there, 100 per cent of the time, and we get 30 per cent enforcement.

So, Madam Speaker, this law has been carefully thought out. It is borne on the back of a significant improvement in the statistics of road deaths in Trinidad and Tobago. I want to compliment openly again the partnership that has flourished between private sector interest groups, non-profit organizations, Arrive Alive in particular and the unstinting, undaunting efforts of Sharon Inglefield in particular, and many other agencies of this type, with the Ministry of Works and Transport, in the exercise of ensuring that safety returns to our roads.

Madam Speaker, when we look to the carnage on the roads, we have seen an 8 per cent reduction year on year, a 12 per cent reduction year on year; we have seen the TTPS note that the fatalities and incidents of injury and maiming and not death, but just as bad as death, that these have all climbed down. If our roads are managed in a lawful fashion, it is a signal to the world and to ourselves that we are becoming more disciplined. Improving structures is critical. Thinking our way in successive steps with important, albeit sometimes apparently small adjustments, this is what makes the difference to our country.

I genuinely believe that this Bill is well intended and that hon. Members should not have too much difficulty speaking to support for the Bill. I do look forward to any observations that hon. Members may have on this, and I beg to move.

Question proposed.

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you, Madam Speaker, and I am very, very pleased to join this debate. I want to also join the Attorney General, the Member for San Fernando West, in congratulating the divisions of the Ministry of Works and Transport. I had the honour and privilege of working alongside the legal department at the Ministry of Works and Transport, and also the Traffic Division of the Ministry of Works and Transport, and I would like to

openly say that in my view they are one of the great examples of professionalism in the public service, from which other people can learn about commitment, and duty and responsibility, especially in the area that involves lives. It was one of the areas in the Ministry I worked, that I really enjoyed working with that group of staff.

Madam Speaker, the hon. Minister said that several things were done, including computerization of data records of vehicles. Minister, it will surprise you to know though that I called the Licensing Office in Caroni to get the number of vehicles on the road, for this debate, I wanted to find out exactly how many vehicles are on the road, and all they could tell me it is about 900,000 vehicles on the road. Now, that does not tell me much, because I remember when I left office it was just about 777,000 vehicles on the road. I remember there was a gentleman by the name of Mr. Adande Piggott at the Ministry who would give me the exact figures. Now if you are computerized, and you say that the computerization is completed and is so efficient, then you would be able to get how many vehicles are on the road.

And I asked another question which I thought was a very important question, how many persons in this country are licensed drivers, in other words, how many driving permits exist in the country, and all I was told is over 1,000,000. Again, that does not satisfy why I was asking the question, because I was trying to do an analysis of the age group of people because there is a problem in this country which I believe has to be addressed which is, how young people are treating vehicles.

You see, in my view a vehicle is a weapon in the hands of a person, and if it is mistreated then you can have a situation that occurred on the Penal Rock Road where two children are today left without parents. It is very sad to know that they will be separated also. So you can have some very deep emotional scars as a result of recklessness on the road. In fact, Madam Speaker, recklessness is a species of crime and should be so regarded on our streets and highways. Recklessness is a species of crime, and we must not be afraid to regard it and take the action that we need to take in order to deal with it.

Madam Speaker, there are two kinds of decisions generally made by government. One, decisions that are and should be made on the basis of fact and research, and the fact and research might result in having to make a decision that is not popular, but yet it should be made. The mark of good governance is always to make decisions that are not popular, but which are in the interest of promoting a better society in the future, a society that will have order and a society in which

there will be respect and regard. The second kind of decision is a decision that is just based on “popularism”, I want to be popular; it is politically correct to do it, while it might be very wrong otherwise. What the people want is what I will give to them, but it may not necessarily be the most useful option.

One has to be careful when one makes popular decisions which are not supported by facts, because I think it is very important in the history of our country, be it in our economics, wherever we are in the development cycle, that we begin to make decisions that are based upon facts and based upon research. In other words, policy formulation should, in my view, always have a proper basis in research both qualitative and quantitative.

This decision to review the speed limit appears to be a popular decision, a populist decision. This is what the people want, this is what the people have been crying out for. The people say they cannot drive at 80 kilometres an hour, it is causing problems and what have you. I would have expected that the Minister would have presented some research to show why 100 kilometres an hour is a better or worse option. And this does not mean to say that I am not going to be in support of the changes to be made, but I think that we have to be very careful, because one of the questions that have to be asked in this country is, have our roads been designed to accommodate this additional speed? Have our roads really been designed for that? They may be, but I need to ask that question and put it on the table, because in the built-up areas the hon. Minister spoke about 50 kilometres an hour, and a lot of those roads in the built-up areas are also very narrow, and they have not been widened because of how people have built their homes and where the drains are and so on. While Town and Country Planning, for example, would tell you it must be at least six metres wide, a lot of roads are about five metres or even less and present very great difficulty. So that is something that has to be looked at.

Madam Speaker, let us agree that driving habits have a lot to be desired in this country—a lot to be desired. There are all kinds of issues that come about because of traffic congestion, including road rage, anger, disrespect for the laws that regulate traffic and so on. But in my view people are driving very badly in this country—very badly. They are driving without respect. I think that is something that is contributing to road fatalities. Even though road fatalities have declined, and in 2016 there were only 135 fatalities, compared to 2006 and 2007. In both years they were 214 each, and in 2008 as high as 262. It is from 2011 that we found it went down under 200 and has steadily declined every year, and 2016 was 135. I find that to be a very important positive development.

But every life lost on our roads is more than a life; it is a human resource; it is an asset. We have lost some very, very well-educated people, well skilled people in this country. Sometimes not because of any fault on their part but because of the atrocious driving habits of others, and I think that is something that we have to look at.

It gives me no pleasure to say this, for example. Last night I was driving up the highway from south. Every night I leave Fyzabad at 6.00, 6.30, and I am coming up the highway in the vicinity of Claxton Bay. There is this truck, and all I am seeing is the silhouette because the streetlights on the road, Mr. Minister, were not working also, so you were seeing a silhouette, a very dirty truck. So I got up to about 60 feet behind this truck, and suddenly realized there is this truck in front of me. The lights on the back were not working; it is so dirty that not even the reflectors are showing.

The truck number is TBG 2309, belonging to a company called “BK”, when I passed the truck “BK”—and that is a truck in Freeport. I could have run into the back of that truck. Somebody could have run into the back of that truck. I have no disrespect for the owners of the company, but I say this publicly because I think it is time we begin to speak publicly and back up what we are saying by not being afraid to call names and to name and shame people who are allowing these things to happen. Of course, I called the company this morning and spoke to the secretary.

This morning also at about 6.15 or 6.30, on the road I am going south again, and in the vicinity of the Divine Life Society here comes a panel van owned by Amalgamated Security. Black smoke emanating from this vehicle, and the vehicle is at a tremendous speed going down the highway. I decided that if I had to break the lights, I want to see how fast that vehicle was driving. I had to drive at 150 kilometres to pick up with the vehicle after the vehicle passed me. I picked up with the vehicle way down pass the Courts place on the highway—Amalgamated Security.

Mr. Minister, I want to say something. Not because Amalgamated Security is transporting prisoners on the road do they have the right to abuse the roadways and to abuse others on the road. I am saying that they are doing that on a very frequent basis. They were not transporting prisoners this morning, because that was one single vehicle, but that is what I mean by the kind of abuse of privilege on the road under the cover of having to transport prisoners, every day it is a battle.

You have in the night time police vehicles guiding trucks that are wider than half of the road. The trucks have no lights on the side of the road, so if you are coming from the other side on a dark road in Mosquito Creek—and the Member for Fyzabad did tell you—and you have to pull aside on the grass to let them, and they are travelling at more than the speed that they should be travelling. I see Jusamco trucks on the M2 Ring Road, and when I speak to the drivers of the trucks and ask, why are you breaking the Woodland crossover there and not waiting. They say, well we have a certain number of trips to make for the day, and therefore they are driving at breakneck speed.

So I think it is important that while we deal with speed, we also have a more vigilant police service that is not only there with the cameras to pick people up in the dusk dark at Golconda and outside C3, but they are also dealing with these kinds of things that are happening on the roads. And I think it is very important that I bring this to the attention of the Parliament.

5.25 p.m.

Madam Speaker, while we debate therefore this popularist decision in order to reduce what I believe the Government wants to reduce, public and political dissonance, we have to be aware that this move could also increase the risk of accidents.

But there is something interesting, in the State of British Columbia when the Government there raised their rural highway speed from 90 kilometres per hour to 100 kilometres per hour, there was actually an 18 per cent decrease in serious collisions. So as strange as it seems, getting drivers to pick up the pace might actually make everyone a little safer. And that is the point, I think, the Member for San Fernando West and the Attorney General was making, because you can have vehicles driving at a faster speed and vehicles driving at a slower speed and then you get a kind of confusion and you might actually end up having more traffic jam in that way. So that normalizing and standardizing the speed limit could be a good thing, but at the same time, we need to think about the effects and whether in fact—well on the Autobahn there are hardly any accidents and so on.

So maybe speed does not kill, but having said that I think it is important to note that speed can be and is deadly and some of the worst accidents in this country and the deaths we have had have been due to speed. For example, the research is showing that at 100 kilometres per hour it is 16 times worse than an impact at 25 kilometres an hour, 16 times worse, breakneck speed. And the Autobahn was just referred to and that is the famous roadway in Germany that has

no speed limit throughout some of its sections, and one would think that is a death trap, but in Germany the death rate from accidents is 6.9 per 1,000 cars. So you have to, with that in mind you might look for other factors: lack of driving skill, car safety and quality, and environmental conditions and so on as bad weather.

So, having said all of this, the causes of accidents and sometimes fatal ones are also due to matters that are within the control of Ministers and of Governments and of people who work in those Ministries.

For example, potholes and poor road surfaces. Madam Speaker, potholes have been known to cause serious accidents and death by accident, and right now, Mr. Minister of Works and Transport, there is a serious, serious problem on Mosquito Creek. There are potholes there that can cause death, and I am saying that without reservation. And if any one of the Ministers on the other side would like to go and travel on Mosquito Creek and see what I am talking about in the night when there are no lights also because the lights on the Creek are not working, you will begin to understand—the Member for La Brea travels there, she would understand what I am saying, it is an obstacle course. So sometimes you could be pulling on the traffic or pulling onto the wall that borders the sea; so, potholes and poor road surfaces.

Secondly, another cause of accidents is this matter of poor drainage at the side of roads and so on. Now, I remember in the very old days the 60s, 70s, even parts of the 80s, you would have people from the Ministry of Works, they would be going along the road and they would be cutting channels at the edge of the road in order to let the water out. And sometimes you would have found that backhoes would come and they would scrape up the accumulation of silt along the side of the roads so that the water does not stay on the road, because sometimes you can hit water and you actually run off the road, and right now we are seeing a lot of that in a lot of places in Trinidad, the accumulation of water making for very hazardous conditions.

And there is also the matter of poor signage, for example, around corners. Only after several persons lost their lives on the M2 Ring Road from Golconda going into Debe did you have an intervention by the Ministry of Works and Transport, I believe, who came and they scoured the road and since then you have really not had problems arising in that particular area. So that is something that has to be done in other areas of Trinidad. You have to identify where you need to scour the roads. And the Lady Young Road also, I think, was scoured recently also and that is something. And I spoke about the poorly lit wide-bodied vehicles transporting equipment at night on poorly lit roads.

And then I come to a very disturbing thing, the whole thing about corruption at the Licensing Office. Madam Speaker, let me give you an example of what I am talking about, eh. I had to have a T vehicle checked for inspection last year and up to December I could not get in. So I went, I paid my \$300 to get the inspection done and I went one day and I stood in the line from seven o'clock to 11 o'clock in the morning, and then realized that it would not be done because the Licensing Office was closing up at 12 o'clock because the air condition system is not working in San Fernando. All right.

So I go back the next morning, I go earlier this time, so I am now eighth in line or ninth in line, and I am still waiting for about an hour-and-a-half. And up comes a guy to me and I see he took a piece of cloth and he rubbed off on my chassis to see what is the chassis number of the vehicle. So having done that, another guy comes up and says, "Boss, what are you doing in the line? Look, \$700 and you do not have to stay here, you know, \$400 for the licensing people, \$300 for me." I am telling you.

Madam Speaker, I could give you privately a telephone number to call in Point Fortin where somebody will tell you how to do that because after that I began to check the system and that is what is happening. So there are vehicles on the roads that have not been properly examined by the Licensing Authority and the transport commissioner and so on that might be very defective on the roads of Trinidad. And I would say that there are hundreds of vehicles that have not been inspected at all and they are not being stopped by the police at the rate that I think they should be stopped. Now this is public safety and we need to do something about the safety of people.

Of course, I just want to let the Minister know, I got my inspection certificate, but I have not got the sticker for the vehicle up to now, so my vehicle does not have any sticker, and whenever they stop me I have to take out the certificate and show that I have done the inspection and what have you and so on.

But what I also find is very disturbing, Madam Speaker, is the kind of inspection done. Madam Speaker, you go over the pit and they do not even go under the vehicle and they then tell you to drive and pull up the hand brakes and stop and that is the inspection. Now, Prime Minister— [*Crosstalk*] And well you do not pay, you know, you go, but if you do not want to go. But all over taxi drivers will tell you that they do not even carry their vehicles for inspection and they get it done by paying \$300, \$400. It is corrupt. But the cost of that corruption is life, that is my point, life, and that is an economic cost also to the country, so, I think we have to do something about that.

Now the other matter is this. We have licensed a number of garages to do inspections, we have licensed them, where private vehicles that are five years and older must be inspected every two years. How many of these vehicles have been inspected? The people tell you that they do not have stickers to put on those vehicles.

And then there is another question I have to ask: what kind of quality control is done on these licensed garages to ensure that the inspectors are qualified and competent; what kind of quality control is done on these garages; when last has these garages be inspected to see whether, you know, they are carrying through the 64-point or 75-point inspection as they need to carry it out? Madam Speaker, this is not about winning any votes at all in this debate, this is about saving lives, and I am not interested in getting a vote, I am interested in saving a life, I am interested here today in what is right for the country.

Madam Speaker, you know, there are all kinds of reasons why people want to drive fast. You know, some people tell you they have to drive fast on a morning to get into town to get a park. Yes, to get a park they have to drive—early especially. My daughter works at a legal firm in Port of Spain, Pollonais and Blanc and she leaves every morning between 5.00 and 5.15 to get to work, to make sure that she could get to work for eight o'clock. If she does not leave that time and she leaves anytime like 6.00, is trouble, she is going to get to work after 6.00.

Hon. Member: Nine.

Dr. S. Rambachan: Yeah. After 8.00. Sorry. Yeah. And there are thousands of persons. And therefore, while we deal with this speed limit and increasing the limit and so on, we have to think about other matters. We have to think about how we reduce frustration. We talk about productivity in the country, but we might be able to get more productivity if we can use innovative means to get people to work, for example, removing a lot of what people have to do in Port of Spain to other centres in the country, yeah, to building the administrative centres and make not only administrative centres for the regional corporations, but in order to offer a range of services also to people so that people do not have to come into Port of Spain to do everything, people can work closer to their homes and what have you. So while we talk about traffic, we have to talk about the whole reorganization of the society and how we get things done.

Madam Speaker, the problem with the increased speed limit. Now it is said that the best fuel economy you can have is to drive between 50 and 55 miles an

hour. Right? Now faster driving means you are going to consume more fuel and more fuel means more pollution. And therefore there is the whole question of the environmental responsibility with respect to this whole matter of raising the speed limit. Now, I am not saying do not do it. I mean, in everything in society you have to have self-discipline and self-restraint, you must have that otherwise a society cannot operate. A society cannot only operate by laws, you know, people must have self-discipline and there must be self-restraint.

So with higher speeds you are going to get a higher consumption of fuel, but the fuel prices have gone up so maybe that will cause people to drive slower or maybe this will be an incentive for people to go and buy the hybrid vehicles like they are supposed to buy in the country and in any case undo some of the pollution that is taking place with the diesel. But I would really like the environmental police to come back on the streets and do what they have to do and pull some of these vehicles that are polluting off the road.

Now there is one matter that I want to raise as we talk about the fuel and the speed and it relates to taxis. Now in the budget debate, of course, hybrids above 1599 you raised the taxes and so on, but also you have raised the taxes on other vehicles, 7-seaters that are used by taxis and that is going to come into effect sometime in January. So in a country in which there is great difficulty getting an efficient public transport service, you know, you are running the risk of penalizing people who are able to run these 7-seaters and now they have to pay at least from what I understand, about \$25,000 more in taxes for one of those vehicles, and that means that the public, you know, might be further burdened by an increase in the cost of transport. So, Madam Speaker, that is just one matter that I wanted to raise.

The other matter is, of course, we talked about it, the severity of accidents. Madam Speaker, the cost to the health system of accidents is very, very big, very, very big in this country, permanent disability of people, loss of human resources. But how many accidents occur as a result of vehicle failure versus driver error? I have advocated, and I want to do so again today very respectfully, that nobody should be put on the streets to drive unless they have done a defensive driving course. I would go further to advocate that persons who have just gotten their licences, at least for one year they should be driving in the company of somebody who has a vehicle and who has had a licence for at least three years so that they can be mentored on the roads. You know we talk about mentoring, but mentoring is not only something that we do for careers, mentoring has to be done also in so many other aspects in our society.

So vehicle failure, in my view, is less a cause of the accidents than speed, and driver error seems to be the big thing that could be the cause of so many of the accidents that are taking place. The hon. Attorney General made a very good point about slow versus fast, people going too slow on the outside lane and causing traffic build-up. Let us hope now that people, you know, if they want to drive under the 100 they should be staying on the inner lane and not on the outer lane.

But having spoken about all this and having raised the point that why people have to drive at break-neck speed in order to get to work in the morning or beat the traffic and to get a park and so on, it raises the issue of public transport and the availability of a good public transport system.

And, Madam Speaker, while in the Ministry of Works and Transport, you know, there was a very active discussion at the time when Mr. Roger Ganesh was the director of highways about a dedicated lane coming from south to north for maxi-taxis and for buses. And I am still hopeful that that can be implemented between specific hours, for example, between 5.30 in the morning or 5.00 in the morning and nine in the morning, so that you can have that lane for going up.

You know, to avoid congestion in London, for example, you have to pay a tax to go into the inner city of London. I am not advocating that you have to pay to go into the inner city of Port of Spain, but that actually exists. [*Crosstalk*] Yeah. High occupancy vehicles we should have that lane, high occupancy vehicle lane that we should use. I “doh” know, I see the Minister of National Security nodding his head, I do not know if it is that point, but it is something that I still think that is possible and that if you kept that lane going and I believe if you utilize very properly during those hours, the already paved area outside the three lanes on the highway you may be able to get that high occupancy vehicle lane into Port of Spain and on evenings going down to south.

Madam Speaker, so the number of cars we have on the roads, that is a problem, a number of drivers who are probably not capable of driving properly and the kind of things they do on the road, I think, that is a problem. But I do really believe that vehicle failure is less a cause of the fatal accidents than would be the driver errors that occur and so on.

Madam Speaker, while we look at the speed of vehicles on the roads of our country, at the same time we have to look at some very specific areas in our country that require some serious attention, and I call them black spots. And these black spots must be examined and there are some popular ones, if one may use

that word “popular”. For example, Trincity Central and Churchill Roosevelt Highway intersection which has been the scene of many fatal accidents, many, many fatal accidents. At Macoya, that is another one where PriceSmart is located there, that intersection by Jai Ramkissoon in that area. Another area that we have to look at is the stretch by the Divali Nagar. That has been the cause of several, several accidents, and there has to be a reason why that is happening; the Churchill Roosevelt Highway and the Wallerfield intersection is another area that we have to look at; and also Piarco Connector road and Golden Grove intersection. These are some of what you call the black spots that have to be examined if we are to be very careful in our approach to saving lives in the country even as we deal with this matter of speed on the road.

I am very happy to know that we have done the reclassification of the roads, and I could understand very well how tedious an exercise that was in order to complete. But, Madam Speaker, we have to look at transport and traffic management in a more holistic fashion in the country and we have to ensure that we change the whole—

Madam Speaker: Member for Tabaquite, your original 30 minutes are now spent. You are entitled to 15 more minutes, if you wish.

Dr. S. Rambachan: Thank you, Madam Speaker. Madam Speaker, we have to look at some of the other things that are causing traffic problems. For example, we lack in this country proper transit hubs, and I think that we should construct transit hubs in Chaguanas, Arima and St. Augustine. We should have transit hubs in those areas, I think it is very important. But I also think that in a place like Chaguanas we should be able to have a system where we have public car parks on the periphery of the towns and smaller vehicles to move people in and out of the town. And we could very well introduce a greening of the Chaguanas community or the Arima community or let us take Chaguanas because I am more familiar with it, a greening of it.

If we could have electric vehicles, what you have now is called put-puts in a lot of countries, where you just take about two persons or three persons on it, but have them as electric vehicles. So you come into Chaguanas, you park on the periphery of Chaguanas and these vehicles take you into the town. You reduce the pollution, you begin to deal with, small matter as it is, of climate change, you begin to deal with more environmentally friendly approach to traffic management and your community; you affect the health of those communities and put a little bit of order into the community and reduce frustration. We have to think outside the box and we have to think creatively in order to deal with— [*Crosstalk*] yeah

and make sure the car park is secure, well you would provide some employment for people to also do that.

Now, we have for a long time talked about the bus rapid transit system, and I do not see any reason why we cannot develop a predictable bus rapid transport system from north to south and east to west, I think it can be done. We already have the east to west Priority Bus Route, and that can be predictable, but we can develop if we make the attempt, we can develop it also from south to north, all it takes is a little bit of engineering and imagination and I think it can be done, and we can reduce in that way a lot of frustration, and if people can get a reliable and sustainable mode of transport, people are going to use it.

So the park and ride matter in Chaguanas, I think is very important. And I may say, you know, that in Chaguanas two level facilities can be built, for example, at Woodford Lodge, it can be built on the Mulchan Seuchan boulevard, it can be built in the area of Clair Street Montrose at the corner of Caparo Valley Brasso Road and Edinburgh Boulevard, Connector Road bridge, all that, in fact, can be done.

You know, as a political party we have been looking at the transport system and we have identified also in Couva where you can have some of these park and ride facilities. The intersection of Camden Road and Couva Main Road and Phoenix Park Road just east of the fire station. We have identified this, because you know in our approach to coming back into governance, which we will in the future, we are identifying what has to be done in the interest of the public, and this is why I am putting forward these ideas because we have the ideas to implement.

So, Madam Speaker, I am in support of what has been presented before the House, I am in support, but, you know, I make these points and I hope that they are treated with the respect that the points deserve because they are not being made for any kind of political gain, but they are being made in the interest of human welfare and the saving of lives and for a more orderly, more progressive and better society.

Madam Speaker, all of this is really about a culture change, a shift in how we do things, a shift in how we behave in the society. Whenever we debate things in this Parliament is really about the shift, are we prepared to behave differently. And if we are not prepared to behave differently, nothing is going to happen.

Madam Speaker, on that note, you know, it is like a child who is an errant child and you keep telling the child, you are an errant child. And today you put two slaps on the child, tomorrow two belt, but two weeks after the child returns to

the same behaviour. And you know why? Because you have not changed the belief system of the child. Behaviours do not change unless the belief system changes, beliefs promote behaviours. What kind of belief do we have about this society and the kind of society we want to build that will then motivate and inspire us to a different set of behaviours?

That is what was missing also in terms of the budget presentation. Yes. It spoke about paradigm, but what is the paradigm? The paradigm is a paradigm of beliefs that we can be a better society, that we can rise to higher standards and that we can in many ways do things differently that can make us really, not the kind of way people see us as a third world society making mistake, after mistake, after mistake, but as a first world society and of a people capable of being better, doing better, seeing better, and at the same time contributing to the wellbeing of the world. Thank you very much. [*Desk thumping*]

The Minister of National Security (Hon. Major Gen. Edmund Dillon): [*Desk thumping*] Thank you very much, Madam Speaker, for allowing me the opportunity to contribute to this debate on a Bill, an Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50.

Madam Speaker, I want to first of all extend my congratulation once again to the Attorney General for no doubt leading the legislative framework that allows us to treat with issues not only with respect to road traffic, but also with respect to crime and criminality in Trinidad and Tobago.

And I also want to extend my appreciation to the hard-working professionals in the Ministry of Works and Transport who have no doubt worked assiduously in putting together the various kinds of hard work to bring into fruition this Bill before us today.

Madam Speaker, this Bill cannot be taken in isolation, but it must be based on the accumulative effect of legislation that was brought before the House, in particular mention with respect to the demerit points, the red-light camera system, the reform of fixed penalty system. One has to take these into consideration because the increase or in particular the Bill, the areas, the clauses that we are amending today is part and parcel of a wider framework of Bills that will bring a change in the way we treat with our roads and movement on our roads in Trinidad and Tobago.

The Bill itself is a very simple one, the amendments are very simple and as such I will take just as enough time to bring to the public and that people of Trinidad and Tobago's notice what, in fact, the Ministry of National Security intends to do when this Bill comes into effect.

Madam Speaker, the Bill touches on in particular the second Schedule in particular I go straight to second Schedule section 5 which speaks to renumbered by deleting the words “sixty-five” and substituting the words “one hundred”. And 6 in paragraph (h) as renumbered by deleting the word “eighty” and substituting the word “one hundred”.

I want to put out, Madam Speaker, there is also a situation whereby in our vehicles we do have, even today on our roads, some speedometers record it in miles per hour, and some record it in kilometres per hour, those European vehicles record it in miles per hour. So I want to ensure that the population understands that the hundred kilometres is really 60 miles per hour, and 80 kilometres is really 50 miles per hour. It is important to make that distinction because there may be a culture where we do not even look at our speedometer, and sometimes we may feel that travelling at 50 miles per hour as to travelling at 80 kilometre per hour, and there may be a lack of understanding if we mistake both against the other. So, I want to put it out quite clear that the 100 kilometres is merely 60 miles per hour when calculated, and 80 kilometres is 50 miles per hour. It is important for us to make that distinction.

Madam Speaker, as we look at the question of adjusting the speed limit, it is important for us to also understand that as a Government we believe that we have to change the culture of people in Trinidad and Tobago, the culture of motorists in Trinidad and Tobago. But we also have to understand that we are not the only country in the world that has adjusted their speed limit over time, for there are other jurisdictions that have moved and realized the benefits in changing the speed limit, in increasing the speed limit. For instance, in the United Kingdom the speed limit is 112 kilometres per hour on dual carriageways.

The speed limit in Germany as set by the federal government, all limits, there are two default speed limits, 50 kilometres and inside built-up areas 100 kilometres, and of course, we know about the Autobahn where there is little or no speed limit.

In Australia, Madam Speaker, the speed limit on many arterial roads are posted by the appropriate speed limit signs and can range from 60 kilometres per hour to 90 kilometres per hour. The default speed limit however, in Australia on the freeway is 100 kilometres per hour.

5.55 p.m.

Madam Speaker, so that in most of the countries you would see that they have adjusted—and again, it is based on a number of factors—their speed limit, and

some of the research has shown that in adjusting the speed limit they have reduced the amount of incidents, the amount of accidents that have taken place. But from a national security perspective what is most important as we adjust the speed limit on the roads of Trinidad and Tobago, and really and truly the Attorney General had pointed out in his contribution that the laws at the time, when the speed limit was set, was based on the road conditions.

I, myself, can surely remember when I joined the coast guards in 1974 there were no highways and it took me at least more than three or four hours to get from Point Fortin to Chaguaramas in those days, because you have to pass through Pointe-a-Pierre and so on and pass on the Southern Main Road, coming through by Kay Donna and so on, and then hit the highway. And it was single roads, so it took us some time, but the speed limit remained. We have since gone passed that, and as I say, the Attorney General has mentioned that, we have gone past that, and we have now developed our roads which are some of the best in the Caribbean right now, and therefore we have to now make adjustments to suit the kind of roadways that we have and to suit the kind of vehicles that we have, but more importantly, if we are looking at the area of production, we have seen the amount of man hours lost on our highways with vehicles being stuck in traffic based on adjusting to the speed limit. So you have to look at a combination between production and, of course, law enforcement.

So, Madam Speaker, I believe one of the most important part in terms of moving the speed limit forward to what we are moving towards is in fact law enforcement. How does law enforcement now adjust to suit what we are trying to achieve in the Bill? Law enforcement must be there to create a deterrent with respect to the recklessness on our roads, must be there to ensure that people observe the speed limits. And as the speed limit moves to 100 kilometres in some instance and to 80 kilometres, it means that people have to adjust to those speed limits, and the law still means if you go above those speed limits, it is similar to where we are. If you go above the speed limit then you are breaking the law. There is no doubt about it. So whether it is set at 100 or 80, the law means that that is the maximum allowable speed that you are allowed to travel on the roads of Trinidad and Tobago. And therefore, in terms of law enforcement, one of the strategic imperatives that I mentioned before is in terms of deterrence. Deterrence is very important with respect to the activities, with respect to the deployment of Trinidad and Tobago Police Service who are the guardians for law enforcement on the roads of Trinidad and Tobago.

So therefore, we would see—and the police I must say, have in fact quite willingly supported this move, Madam Speaker. The Trinidad and Tobago Police

Service has indicated that they certainly support this as part of the road policing strategy. So therefore, law enforcement would have to increase their deterrence on the highways of Trinidad and Tobago, and not merely by manual presence, but in terms of using technology to a large extent; the increase of highway patrols, the increase of motorbike patrols, again, the rapid response unit. And you would have seen from time to time, Madam Speaker, that we have in fact increased that presence on the road, and no doubt citizens of Trinidad and Tobago would say that they have seen an increase in presence of police vehicles on the road in strategic points, at certain hours, and almost a 24/7 presence on the road, and that is a deterrent. And you have seen people who have slowed down just by merely seeing a vehicle parked on the side way, they are not too sure whether there are speed guns or whatever the case may be.

Madam Speaker, there is an experiment that was done in Canada where the Royal Mounties merely parked a police vehicle on the side of the road with dummies in the vehicle and observed people literally slowing down because a police vehicle was parked on the highway. That is a deterrent. And therefore, the presence of police on the road is important as we go forward, as we change the speed limit to 100 kilometres per hour. And the Trinidad and Tobago Police Service is inclined to do so. And I want to take the opportunity once again to congratulate and commend the Trinidad and Tobago Police Service for the hard work that they are doing, not only in terms of traffic management, but in dealing with crime and criminality in Trinidad and Tobago. [*Desk thumping*]

Madam Speaker, we continue to combine not only our presence but also in terms of initiating or continuing the work of the DUI squad, the driving under the influence squad, which I mentioned some time ago in the House. We are going to build the capacity of that squad again and expand them throughout the length and breadth of Trinidad and Tobago. Because, again, there is a nexus between the use of alcohol and driving that has caused a number of carnage on our roads, and again we want to act as a deterrent with respect to persons who are so inclined in driving under the influence of alcohol. So we are going to increase the squad to act as a deterrent in terms of administering the Breathalyzer test and so on at an appropriate time and place.

The introduction of speed guns is another measure, Madam Speaker. And recently the Government through the Ministry of Works and Transport has increased the amount of speed guns available to the Trinidad and Tobago Police Service. We have seen the effect of the speed guns on the culture change in Trinidad and Tobago when it was first initiated. We have seen the effect that that

had on the culture and the mind-set of the drivers on the roads of Trinidad and Tobago, and therefore the Government has decided to increase the amount of speed guns that are available for the roads of Trinidad and Tobago, and the strategy is very simple, Madam Speaker. The strategy is one in which the motorists will not be aware when the speed guns are being utilized, so they will create the impression, as far as the Trinidad and Tobago Police Service strategy is concerned, that they will always be outside there 24/7 so that the motorists will not know when they are there or not, and therefore the culture is that they will be there and it will condition them to drive in a particular manner, Madam Speaker. We are also going to utilize our CCTV system together with the red light cameras. When you combine all those initiatives, Madam Speaker, it is really about getting a cultural change, a change in the way we do business in Trinidad and Tobago.

Madam Speaker, the Trinidad and Tobago Police Service, as I mentioned, completely supports this initiative because they believe that there is almost a win-win situation, a win-win with respect to law enforcement, a win-win with respect to the motorist, and also a win-win with respect to increasing the production level of Trinidad and Tobago. They have done so by looking at the history of the road carnage over time, Madam Speaker, and history shows that in 2008 there were 262 road deaths across Trinidad and Tobago. This has been the highest number in our recorded history. Therefore, according to the Trinidad and Tobago Police Service, safety of the roadways for the citizens of Trinidad and Tobago has proven to be very important in how they go forward.

Within recent time, Madam Speaker, Trinidad and Tobago Police Service has seen a consistent drop in the level of deaths on our roadways as a result of road traffic accidents. For instance, there were 161 road deaths in 2014, 142 in 2015, 135 in 2016. The 2016 total is the lowest annual total road deaths since 2001. So, we have seen a reduction. And so this new level can be attributed to a combined effect of, one, what the Trinidad and Tobago Police Service has been doing in terms of their road policing strategy in terms of educating the driving public. And you have seen numerous ads on televisions, they have done it in their community drives, in their community meetings and so on, to talk to the public to get them aware in terms of driving and driving conditions, the care of their vehicles, and observing the rules of the road. They are viewing the extensive use of the Breathalyzer tests and so on for drivers, both in a voluntary position and so on. They have done it. For instance, you have seen them, especially around carnival times, doing voluntary testing, so people are allowed to know their limits before they even go onto the road. They have done that on a number of occasions. The

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Trinidad and Tobago Police Service has been there in terms of a preventative measure and also a law enforcement way to treat with that issue.

Madam Speaker, one of, I think, the most impactful measures that the Trinidad and Tobago Police Service has used within recent times, and I want to emphasize that, is in fact that introduction of the speed guns. I want to go back to it. Because you see, Madam Speaker, the speed guns caused certainly a cultural change, and admittedly so by a number of people in Trinidad and Tobago. While it was effected on May 05, 2015 there was in fact a national impact. Hence the reason why we are “gonna” repeat and we are “gonna” increase that measure, especially as we move forward to increase the speed limit. It certainly caused drivers to take a look at their speedometers. As I say, it is not cultural, we do not do that. We do not even look at the needle, we just—but it caused them to take a second look. And we have seen that in 2016 as a result of this, there were 11,294 speeding tickets issued to errant drivers. That is in 2016. But 2017, Madam Speaker, so far, they have issued 16,580 speeding tickets.

It is noted that enforcement of speed control has caused major responses by drivers. Some giving clear support and some expressing, you know, of course different kinds of response. But in the main, people appreciate the work that the police are doing, because the presence of police deter not only them but, of course, you look after other drivers themselves. And when you are a driver, Madam Speaker, you may be very cautious, you may be taking your time, observing all the rules and regulations, but the errant drivers on the other side are the ones you also have to look out for. Hence the reason why the police presence is so important.

Madam Speaker, what has been noteworthy is that there is an obvious correlation between the introduction of speed control and the reduction of death in our country. That is according to the police statistics. So as the year 2016 shows the lowest figure of road deaths since 2001, and at present the year 2017 is showing further reductions compared to 2016. To date for 2017 the figures are 101 road deaths for 2017, the lowest so far in recorded history. And again, it has the effect based on the introduction of a number of different measures that have been done by the Government of Trinidad and Tobago. A number of measures come together to deal with that cultural change that we are talking about. So that there is almost a 9 per cent decrease between 2016 and 2017 in road deaths because of a cultural change that we are going to re-enforce through the national security initiatives, especially executed by the Trinidad and Tobago Police Service, Madam Speaker.

Madam Speaker, at the end of the day, as we introduce these new laws, as we introduce the increase in the speed limit and so on, the laws by themselves will not bring about in totality—because not every single person in Trinidad and Tobago would observe the laws of Trinidad and Tobago. What is intended at the end of the day, Madam Speaker, is for us to impact and influence the citizens of Trinidad and Tobago to take responsibility for their actions. There is only one driver in a vehicle. One driver is allowed to drive any vehicle in Trinidad and Tobago. And therefore we have to take it down at the individual level, the level of the individual. We have to send a certain kind of message to the level of the individual to take responsibility. In life, Madam Speaker, there are really two circles that affect us as individuals. One, a circle of concern and a circle of influence. And so what we have to do is ensure that our drivers understand that they have control over that vehicle, that they are the ones that are responsible for going past the speed limit; they are the ones that are responsible for causing accidents; they are the ones that are responsible for any carnage on the road. It is really deeper than the laws. Laws by themselves cannot make it happen. We have to put culture together with laws, and I think the Attorney General mentioned it a while ago, we have to embrace that.

So, in other words, we all as citizens of Trinidad and Tobago must come on board, and we all have to be courteous on the road, we have to be disciplined on the road, we have to observe the laws of the road. If we do not do that, Madam Speaker, then it is not the speed limit to blame, it is not the increase of the speed limit to blame, it is our own attitude and behaviour as a people to be blamed, Madam Speaker. So, therefore, as we pass these laws—this Bill—and as we look at increasing this, we also have to tackle it on a second front, we have to look at changing the mind-set, allowing people to be empowered, allowing them to understand that they have that power over the circle of influence to treat with issues within their own sphere. And as I said, a vehicle is controlled by a single individual, he or she is responsible for that vehicle, he or she is responsible for observing the laws and regulations.

As the Ministry of National Security works together with the Ministry of Works and Transport, because while they continue to fix the physical structure, the roads and so on, in terms of making sure the roads are passable and so on, and deal with issues, the Ministry of National Security continues to work, and as we say, it is a whole Government approach between the Ministry of Works and Transport, the Ministry of National Security, the Attorney General's office, we will continue to do so. But we also bring in our other Ministries which are also the culture shapers within the wider society, so that every opportunity that we get

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as a Government, we are going to talk to and talk to citizens in particular, that as we increase these speed limits, ensure that we will take responsibility for our actions.

Madam Speaker, the Trinidad and Tobago Police Service will continue to raise the level of presence, continue to raise the level of consciousness, continue to do what is required to treat with the roadways and the highways of Trinidad and Tobago, to ensure that there is discipline, to ensure that there is production, and more importantly, there is tolerance on our roads of Trinidad and Tobago.

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

Mr. Fazal Karim (*Chaguanas East*): Thank you very much, Madam Speaker, for allowing me to contribute to the Motor Vehicles and Road Traffic (Amdt.) (No. 2) Bill, 2017. Much has been said so far about the rationale, and if one were to really précis it in a sense, it is giving credence to increasing the speed limit on our roads, many of which have moved from minor roads to major roads and thoroughfares and highways. It also seeks to bring into line those vehicles with up to 3200 kilograms, which were formally in the 2540 kilograms range, and include, for example, the Ford Ranger, the Nissan Navara and many of those you would have heard spoken about before.

Madam Speaker, I want to indicate that while we may have a few persons speaking on this amendment, this Bill is by no means trivial. It is extremely important. It is the difference between life and death. It is ensuring that you arrive alive at your homes. And just to underscore the critical importance of what we are dealing with, with statistics we see from Arrive Alive, for the year 2016 road user deaths, we would have seen that pedestrians comprised or constitute 33 per cent, passengers 31 per cent, divers 31 per cent. But, Madam Speaker, what is also interesting is the age of these victims. My colleague spoke about the budget speech indicating that it is changing paradigms and really the sustainable future of our country. But how will we be able to sustain our country if we are losing our young talented, educated minds, and even the not so young ones, but our citizens who will be able to make a contribution? In that regard, Madam Speaker, maybe it might be interesting for us to note the age of the victims as a percentage of a total. And for those between 25 years and 34 years old, it comprised the first category of 23 per cent, that is the age of the victims of road users. The second category is in the age group of 45 years to 54 years, and that comprised 17 per cent, and the third category between 15 and 24 years old, 16 per cent.

Madam Speaker, as my colleagues and I agreed to support the amendment there are some facts I would like to present, but also to offer some suggestions to

my very good friend the hon. Attorney General, Member for San Fernando West, and also the Minister of Works and Transport who is sitting and listening. We would have heard that there are arguments for and against increasing the speed limit, and in some cases we would have heard the argument that the raising of the speed limit actually lowers collisions on the road, because you will not have people going at variable speeds, and in some cases if you drive on certain roads abroad at a lower speed you are ticketed. And maybe what was indicated as well, much has been said about Germany and their Autobahn, and Canada and other places, and when you compare Germany having a death rate of 6.9 per 100,000 cars, while Canada has 13 per 100,000 cars, it says that it is not fair to only blame factors in terms of speed. What they indicated as well, that other considerations may be the lack of driving skill. They also talked about car safety and the quality of road conditions.

In addition to that, environmental conditions, and as obtains in many other countries, and to some extent or to a lesser extent here, bad weather conditions. It goes on to say, that arguments again for the increase in the speed limit may be that the real problem might be that there are too many drivers, that may be the real problem, and some of them may not be very competent in terms of driving. So that it says that speed does not necessarily kill, that it might be safer in some cases. It alludes to the fact that there may be too many drivers. And it also talks about the fact that if you increase the speed limit, and this has been shown scientifically, and proven, that there is less road rage and reckless driving. Of course one may argue to the contrary as well. It is also confirmed by studies that you will have a faster time to commute but there is also a risk in that if you cannot control the vehicle. Very important for us to consider. And we would also ensure that the faster speed allows for efficient traffic flow, and believe it or not, another factor is that drivers are more at ease.

When you look, Madam Speaker, at some of the disadvantages, you would have heard about the fact that at a faster speed it would be more expensive for drivers in terms of fuel, in terms of consumption, in terms of pollution, and it is also recorded that there might be an increase in road traffic accidents, but in addition to the factors that have been mentioned, I think it is true to say that there will be an increase in the amount of wear and tear of your vehicles in the depreciation of the vehicles for its resale value if it is not properly maintained. Madam Speaker, much has been said about Canada, and in terms of Jamaica the current speed limit there is 110 kilometres on highways, but I think I want to get into some other situations and to other facts.

The hon. Member for Point Fortin mentioned the police presence, and I think it is important for us to say yes that it is very important for the police presence, but I think I will want to share with you some of the data that talks about police strength out of a manpower audit, and this audit, the Final Report of the Police Manpower Audit Committee, Vol. 1, which was presented to the hon. Prime Minister on October the 17th, 2017. It says, Madam Speaker that the Trinidad and Tobago Police Service states that as at February the 13th, 2017 the sanctioned strength of the TTPS is 7,884 officers; that the actual strength at that date was 6,768. That is 86 per cent of what was officially required for the TTPS.

In other words, it is saying that there is a shortage of manpower. It showed, therefore, according to the data, 14 per cent or 1,116 officer positions have been vacant. And the question we have to ask ourselves is, if you are saying that there is going to be increased police presence, how does that match up? How does that stack up with the fact that you have over 1,000 or 1,100 vacancies that need to be filled? And one might be saying, one could argue the case as well, that it is not very effectively or efficiently being utilized. Further, 10 to 20 per cent of officers are not on duty at one time due to several leaves such as vacation, injury, sick, extended sick, study, no pay, casual, or suspension. So if we take away the officers who are on leave from the actual strength, we have an estimated 4,700 officers available on any given day. Madam Speaker, if we were to split a day into two shifts, for example, there are estimated 2,350 officers in active duty on any one shift. I think all of these things are critical for us, and it is also noteworthy that the acting police commissioner indicated on November 16, 2017, and I want to quote here. He said:

The police were now focusing on the roads and detection of drivers driving under the influence has been increasing. There have been 16,518 such detections for the year so far.

I heard this morning that the Minister of Works and Transport, and I saw him on a television programme, and I subsequently received a correspondence from the Ministry of Works and Transport, indicating that he has signed an order for nine additional UDAR speed guns, and thereby increasing the complement of speed guns from six to 15. Madam Speaker, the question we have to ask ourselves is, of the six that we have how many of those are working? Sometimes you see the speed guns in operation and then you do not see them for quite a while, and therefore the question is, if they are not working are they being repaired? Or are these nine that you are going to be adding to the six, how many in total will you have that are effectively going to be in operation? Many of them

may not be actively working and therefore, you do not have the kind of vigilance on the road that you expect.

The Member for Point Fortin also indicated the number of speed gun tickets that were issued. It appears to me, from when I am reading this, that this is a business that is doing quite well, and maybe better than some of our businesses in various sectors, and I just want to repeat and I will give the calculation which the Member for Point Fortin did not give. So my figures indicate speed gun tickets issued in 2016 were 11,294, and in 2017, 16,285 as of most recently. And when you calculate that, it totals to in two years of the issuance of speed tickets, a total \$27.4 million, in two years. Madam Speaker, I indicate that this is not only a deterrent, but therefore it is very important for us to ensure that—and the point I was making is that you are going to have an increased police presence, but based on the data that I have just supplied, how are we going to ensure that is done? Are more people going to be taken into the police service? Do you have more vehicles? What is the role of VMCOFF and the maintenance of these police vehicles, of private contractors? The Member for Point Fortin indicated that we see quite a lot of police vehicles, but where do we see most of them? On the highways where they want to be seen, or do we see them on the other thoroughfares? Or do we see them now and then? And I have seen people in front of me, from the time they see what looks like a speed trap they mash breaks, and therefore, it could really cause a lot of problems to those at the back.

Madam Speaker, I think one of the other things that we have to look at, and it may have been mentioned but I just want to elaborate on it, in terms of defective vehicles. I cannot tell you when last I would have seen a police vehicle stop any other vehicle, or even the licensing officers, and examine the tyres on vehicles. Very often you would have seen that a lot of vehicles may be using an inferior quality or smooth tyres, and one may not believe this, but actually smooth tyres could deflate a tyre quicker than if you have tyres that are well treaded. It indicates that it is unsafe and it is really these smooth tyres that present an accident that is waiting to happen. The study indicates—and this is a study from an expert collision repair company—that 26.2 per cent of the crashes studied involved vehicles with insufficient tread, and therefore it brings into focus the whole aspect of roadworthiness.

Much has been said as well, even in the previous debate on motor vehicles, about removing the amount of corruption, and my colleague, the Member for Tabaquite spoke about that. And I think one of the things we have to do is to also look at the whole aspect of revisiting the licensing process, where it is observed or

it is even evidenced that some people pay for their licence. And sometimes you jokingly tell people, “Like yuh buy your licence” when you see the way in which they drive on the road. Again, the aspect of learner permits and provisional licensing, the recommendation has been that it should be mandatory—and I think the hon. Attorney General did take note of this—for all persons who have been issued a provisional licence to ensure that before you get your actual licence issued to you, that you go through a defensive driving course.

And, Madam Speaker, let me just say that I think we are not optimizing the use of our education programmes. As a matter of fact, why is it not possible for us to prepare our future drivers on the roads, or even to ensure that the driving public is safe or safer, or better informed by even making available classes for defensive driving, or classes for learner drivers at some of our secondary schools that are virtually closed after 2.30 or three o’clock on afternoons, some of them have continuation classes. So that if we can bring these programmes closer to where the communities are it would be very useful. In addition to that, I think the Minister of Works and Transport, as he is here, could maybe consider what happens not only abroad, that works well. Why can we not have television programmes on a consistent basis, properly packaged, so that persons at home in the comfort of their home could view and could learn? Learning is not restricted to where you are, and therefore, you can learn anywhere, anytime, whether it is in terms of the distance mode of learning or the blended approach, whether it is face to face, or whether it is in terms of mobile applications.

Madam Speaker, I want to just raise a few issues as I continue, and I will get to some recommendations shortly. One of the things that we are very concerned about is the whole issue about insurance. I noted when the hon. Attorney General began his presentation, he said that the whole aspect of data was completed in terms of the police and the licensing office.

I noted, he said, that we are proposing the whole mapping of roads was done. He also indicated that the aspect of data in terms of the police and the licensing offices were completed.

6.25 p.m.

But, Madam Speaker, I do not think that there is any police car or any licensing vehicle of the licensing division that can stop you on the road of Trinidad and Tobago. I know it is not available now, and we will be very happy to hear, when the Attorney General responds, what is the kind of time frame, as obtains in foreign countries, as the police car pulls up behind you, you have to

come off the road. They go into the computer and immediately can tell you everything about what is happening with you. I have seen this, we have witnessed this first hand and therefore it is an opportunity to deter, as the Member for Point Fortin, Minister of National Security, is speaking about, deterrence to crime and criminality.

Madam Speaker, this is what perpetuates and continues to increase the amount of stolen vehicles. I have found out that while you may have, and my colleague was trying to find out how many vehicles are on the road. And they estimated it was about 900,000. There was another estimate of about 800,000 vehicles. And do you know what was being told?—that of that 800,000 vehicles, hon. Minister of Works and Transport and the Attorney General, that approximately 150,000 of those vehicles may be uninsured and using the roadways of Trinidad and Tobago. And usually the people who are uninsured are “people of straw” in some cases, so if you had to sue them you are really suing for nothing. There is no reward or any compensation that you can get. And therefore, I think it is important for us to have this connection with the insurance companies.

I was speaking to one of the insurance companies yesterday and they indicated that every time they issue an insurance policy and certificate, they are required to send that information, that data, to the licensing office. Then how come? Of course, it is—you do not have enough scrutiny and vigilance and the data is maybe not up to date or not being updated and is therefore not retrieved. It is not on any efficient system that you can pull it out and you can utilize it. And what they are saying is that, even if you discontinue insurance, that return, that information, is normally sent to the licensing division. How is it then impossible for us to not know how many vehicles are on the roads and how many vehicles are uninsured or insured on our roadways? And therefore, this brings to bear as well the whole aspect of victims and their families of uninsured accidents.

It has been stated that over \$1.6 billion is sitting in the country’s Treasury to be paid out to persons injured or to families whose relatives died in vehicle accidents at the hands of negligent, uninsured drivers. Madam Speaker, no moneys have been paid while owners continue to pay insurance—Insurance Premium Tax, IPT—which they have been doing since 2008. And therefore, one of the things that is being proposed—and we are awaiting the establishment of this unit—is that the Government is yet to set up the motor insurance bureau so that the 1.6 billion already in the Accident Victims Compensation Fund, the AVCF, set up by a former Prime Minister, will be able to be implemented.

Madam Speaker, I did indicate as well that there are some other issues that I would like to make reference to and therefore, if we are talking about the future of our country and we are talking about the future drivers and therefore the potential of these drivers or the competence of these drivers or how do we handle these future drivers. Recently in a newspaper article, we saw an increasingly—we saw it within our school system that the President of TTUTA, Mr. Doodhai, in yesterday's newspaper article lamenting the fact that bullying is disturbing and worrying and the figures are increasing. It is estimated that some 5 per cent of this country's school population—which comprises some 250,000 students—face serious mental challenges as well.

And I want to also indicate, the question would be, well, what does this have to do with the Act? And I will indicate that to you shortly, because if you do not take care, and if you do not address these issues, these young adults are going to be our future drivers, which can again cause themselves and others to be at risk. And therefore, it is important for us, hon. Minister of Health, Member for St. Joseph, to understand that if we do not deal with these issues now they will come back to haunt us in the future.

Madam Speaker, some of the things I wanted to raise as well is that some of these accidents and the increased speed—because no matter what speed limit you set, you may always have someone trying to go faster than the actual speed limit. What encourages that as well? One of the things we have seen and the police have recorded this, is that there is a modification of vehicles in their speed, these souped-up engines, altered lights, big tyres, contributors to vehicle accidents. So that it is not only the driver that we are looking at, it is also the vehicles.

Madam Speaker, one of the things that we should also look at, and I have seen this, and you can drive around the highways and the roadways, is the absence of proper road signage. There is no doubt that there is a vast improvement in this area, as indeed it is important for us to look at the whole concept and the aspect of road engineering. Therefore, the question always arises, that if you are increasing the speed limit on the roadways, what can we do to mitigate the amount of accidents or the potential for accidents and fatalities?

Madam Speaker, I do not know how many of you would have noticed or become victims of very bright electronic signboards very close to the roadways. It has been shown that one of the prominent causes of road accidents in this country and elsewhere is the level of distraction you face as a driver. There are some that are very close to the roadway and the glare that they send out to you

could really cause not only distractions but can cause you some serious, well, I will use “distraction” in that context and your focus in terms of the roadway. And therefore, I will ask the Attorney General and the hon. Minister of Works and Transport to seriously look at the regulation governing erection of billboards, signage, LED signage very close to the highway, that they should have some stipulation in terms of the distance away from the roadway, because if you do not do that you are going to perpetuate—

Madam Speaker, let me also say, it is not only in terms of those who will put up their signage to impact on their sales but some road users have also complained about some police vehicles, in terms of their blue lights, and it is also very difficult if you are driving close or behind these vehicles. And therefore it is very important for us to limit the amount of distraction.

Madam Speaker, I understand as well, the Government is trying to assist vastly in terms of the safety of road users. We talk about increasing the speed limit but you know sometimes for the very flimsiest of reasons people will slow down the traffic and cause a pile-up or a backup of traffic. And one of the persons involved in terms of defensive driving and traffic management indicated to me that one of the things we want to change in terms of the culture of driving in this country, and he quoted as “macco” traffic—that is the terminology he uses—he says from the time you slow down or if there is an accident or if there is a body on the road, unfortunately, everyone slows down. Of course, the police is controlling the traffic. But what he is recommending that we should consider is to cordon off that area and ensure that there is a faster flow of traffic so that they would not be distracted by what is on the side of the road.

Madam Speaker, I know that might be difficult because people would want to see whether it is anybody who is connected or related to them, but I think the point is, it is not only with respect to anybody who may have a fatality but for any other reason that will cause a distraction and the slowing-down of traffic.

Madam Speaker, in terms of the safety, one laments the fact and we know that it is a cost item and therefore we are in challenging times, but we have to determine the priorities. And I am sure the hon. Attorney General will want to respond to that and certainly the Minister of Works and Transport. As you drive along our highways you will see quite a lot of the cables which are supposed to prevent crossing of the medians, many of them have fallen down. They have been hit and they have been left. I want to recommend and to propose very seriously that if anyone is guilty of destroying or damaging those cables they should be held

liable and, in fact, they should be pursued through insurance to ensure that they restore what has been damaged.

Mr. Al-Rawi: Current law.

Mr. F. Karim: And if it is the current law then let us impact it. Because what is happening is that the problem with the laws is that we have these laws, you know, we have all these fines and so on, the problem has been to enforce the laws and I indicated before, because—why are you saying that it is the law?—and I accept that, but if it is the law it continues. If you pass by for weeks, and I am sure the hon. Attorney General will drive on the highways from north to south regularly and he will continue to see on a daily basis that these things are not being repaired.

Madam Speaker, I want to also recommend for consideration that these young drivers and these learner drivers after every 10 years, and all drivers actually, should be exposed to some form of retraining. As we spoke about the safety on the roads, I just want to go back to that a bit, because some of the white lines, hon. Minister of Works and Transport and Attorney General, they are not properly marked, apart from the road signs, and could you imagine, and I am asking anybody who would have been on the road at night, particularly, when it is raining and when the white lines are not very visible, how difficult it is for you to stay in your lane.

In addition to that, what worsens the situation is on some of these major roads where we are now increasing the speed limit from 80 to 100, you do not have street lighting properly organized. The bulbs are blown, they are not being repaired and therefore, how will you want to come to the Parliament and ask us to support, which we are supporting, but we are also asking you to do your job, to be responsible in terms of protecting us as road users in terms of signage, in terms of markings, in terms of cautions. Do you see sometimes you have road signs or road markings, where pedestrians should or are supposed to have the right to walk, where the traffic should stop? In Trinidad and Tobago, what do you think is happening, is people have to be playing box—“you run in, you have to run back, because the fella eh stopping”. In a foreign country you do not stop at the stop sign or you do not allow the pedestrian to cross you are in for a ticket and very expensive—the flashing lights. Even in terms of the school crossings, we have difficulty with those.

[MR. DEPUTY SPEAKER *in the Chair*]

I am saying all of this because it impacts upon road users and it is going to be

affected by the amount of the speed limit that is actually going to be increased today. So we talked about the aspect of database. Another thing that I want to recommend for the Government to seriously consider is to have sometimes, although it is not applicable to what we are debating today, but there is the visible absence of weighbridges along any of our highways. Why is it not possible to have some of our T vehicles as well just pulled off the road and inspect it? If you were to take the example from Mount Hope to say, the end of the highway, down to San Fernando, you have no proper place, except the turning bays in the middle.

I want to ask, again, the hon. Attorney General and the Minister of National Security, particularly, we are talking about improving the service of the highway patrol. As far as I can recall, the closest police station—and it is one of the bases for highway patrol—is at the Freeport Police Station. If you look at from Mount Hope to San Fernando, there is no police station in the very close proximity or along the highway and I want to make a suggestion that you may want to have—and it does not have to be very expensive and exorbitant,—why do we not consider, if you want to increase the—in terms of the safety and security of road users, in terms of the—as the hon. Member for Point Fortin was saying, the police presence, not only in terms of parking a vehicle, but where you may have police posts if it does not have to be a full-fledged police station—

Mr. Deputy Speaker: Hon. Member, your initial speaking time has expired, you have an additional 15.

Mr. F. Karim: Thank you.

Mr. Deputy Speaker: Proceed.

Mr. F. Karim: Thank you very much, Mr. Deputy Speaker. Therefore, I think it is important for us to consider the construction, the implementation or the establishment of some police presence, physical structure, along these highways. It will also assist, if you might want to use it, for CCTV on the entire highways. Although you have some of it now, and it is controlled from some remote area, but the presence, as you say, and I want to agree with you and support you, that the police presence is indeed a deterrent.

Mr. Deputy Speaker, I think one of the other things that we wanted to put forward in terms of the whole aspect of safety and security, as I said in terms of the implementation, the hon. Attorney General would say it is the law in terms of the fines. But one of the most dangerous aspects we have seen in terms of driving and road users is what is called “lane discipline”. People just simply cut in and out, and there are fines here which I need not read all of but I just want—failing to

keep vehicle to the left of the road, \$1,000. Improper overtaking on the left side of the road—Mr. Deputy Speaker, I do not know if you have experienced it.

Hon. Member: In our laws?

Mr. F. Karim: In our laws. If you would have seen some people, they just cannot wait with the flow of traffic in the lanes. I have seen people regularly overtaking on the shoulder of the road at high speeds and we have fines for those and you are asking about the police presence. I presented to you today the shortage of, on the vacancies. Over 1,100 vacancies in the police service. This was proven through the manpower audit. Why is it not possible as well to get a complement of people, particularly if you want to establish your various units through the TTPS to ensure that all of these are implemented?

My colleague as well made reference to the fact that one of the things that we lament is that they take so long for you—you want to pay the fine but you might take some time off from work and it becomes a challenge with the bureaucracy to get in there and pay the money that you want to pay to contribute to this \$27.4 million in two years. And I just want to give some other examples—obstructing/overtaking traffic.

Mr. Deputy Speaker, I do not know if you have seen sometimes when persons are using the road and they do not like the fact that you overtake them, they overtake you and they slow down in front of you deliberately and mischievously. These are some of the things. We talk about a culture change. It is not only going to be voluntary culture change, it has to be enforced. I often said I had the pleasure of studying in Singapore and you can say what you want about Lee Kuan Yew, you can talk about the difference in culture with Singapore and Trinidad and Tobago. But Singapore, 272 square miles, a little more than Tobago alone, with five times the population of Trinidad, 6.5 million people, and the D word is extremely important—it is “discipline” or you pay the penalty. And we have to move to a stage where unless we do not enforce the laws, people are going to say, “well I can get away with it”.

Mr. Deputy Speaker, we talk about road rage and we talk about people misbehaving on the roads. Sometimes there is induced frustration. I noticed that the hon. Prime Minister had asked for a report, by four o'clock the next day, in terms of what had happened at the Piarco International Airport, but here you have hundreds of people who are coming off an aircraft, many of whom may have jet lag and they are going to be using the road after waiting for four hours in the immigration line. Is that not a potential for induced frustration? Is it not a fact

that they have a low tolerance level that could infuse, you know, becoming an unbecoming behaviour on the roads?

And therefore, I think as we talk about all of these, Mr. Deputy Speaker, it is important for us to ensure that not only are we increasing the speed limit to get efficiency in terms of the roadways, in terms of reaching quickly, in terms of stopping the bottleneck and so on, but we have to ensure that some of these roads are properly fixed.

You would have heard sometimes from my colleague as well, he spoke about potholes and this continues to be an issue. For one simple hole in a road that is not repaired, and I know that the hon. Minister of Works and Transport has a Road Patching Unit and maybe they need to be outside there and particularly on some of the major highways and roads. What will happen if you were to land into a pothole that has not been repaired at 100 kilometres per hour where you have moved from 80 and you cannot control that vehicle? It is going to be disastrous. And therefore, Mr. Deputy Speaker—I think one of the other things as well that we have to look at is this whole survey of our bridges.

In the United States of America, that is an ongoing survey and it is a cause for concern and sometimes we construct these highways and these byways and these flyovers and we simply leave them for use and you do not have any follow-up action. Some of these can contribute substantially to very deleterious and dangerous effects.

And therefore, as I conclude, I just want to also indicate that when we look at what is happening on the roadways while, yes, we support this measure and there is room as well for improvement, I want to again underscore the point I am making, that unless we have the police presence and which could only be obtained in terms of the efficient distribution of the human resource in the TTPS and also in terms of the required complement of persons and the enforcement of the laws and to remove the bureaucracy in terms of these penalties, we are going to be forever stuck in this time warp and we would be coming back again to talk about, maybe not only increasing the speed limit, because some countries in fact who have not been able to manage this increase properly have gone back, they have reduced it to what it was before. I think we should always be looking progressively at the state of the country and therefore, with these few words, I thank you very much for the opportunity to comment. [*Desk thumping*]

Mr. Rushton Paray (*Mayaro*): Thank you very much, Mr. Deputy Speaker. Thank you for the opportunity to join in this debate this evening as we look at the Motor Vehicles and Road Traffic (Amdt.) (No. 2) Bill, 2017. Mr. Deputy

Speaker, I must inform the House that I am in support of this Bill, like many of my colleagues, but I would also like to tell you up to 4.30 yesterday evening I did not agree with it. And why I may not have agreed with it, as a driver with over 30 years' experience and having some 16 to 18 hours a day working and being on the road, coming from Mayaro to Port of Spain at several occasions, I enjoy taking a little nap on route and I enjoy the fact that my driver who is an exceptional driver by the way, he is also limited and constrained in maintaining the speed limit at 80 kilometres per hour on the highway. And also the drivers who are around us are also within that limit.

So, a conversation that has been happening among many of the young people in my constituency and among a lot of my peers is, why are we going to raise the speed limit?—because there was the feeling that we are going to create more carnage, more road fatalities, more accidents if we allow people to drive faster. So one of the exercises that I did yesterday evening, Mr. Deputy Speaker, was to do a bit of research on my own to see what are the effects of raising or lowering speed limits? And I was really hoping to hear somebody on the other side, perhaps the Minister of Works and Transport, to tell this House how we arrived at the agreed limit of 100 kilometres. And I am sure the technocrats would have done quite a bit of work in terms of coming up to that limit because the question was, why not 120 kilometres, or why not 140 kilometres? What makes 100 kilometres the sweet spot that we should really put our road users in terms of our highways?

So in trying to determine—[*Crosstalk*—]in determining, I am trying not to stay too long to keep us here, usually long. But, Mr. Deputy Speaker, in reading a number of the surveys that were done I was attracted to one called, the “Effects of Raising and Lowering Speed Limits”. It was a report done by the US Department of Transportation and it was done between 1986 and 1992 and it was further redefined in 1996. And one of the objectives of that study was to do a research to:

“...determine...the...raising and lowering of posted speed limits on driver behavior and accidents”—on—“access rural and urban highways.

Speed and accident data were collected in 22 States at 100 sites before and after speed limits were altered.”

This testing was done repeatedly on 14 different sites, simultaneously, in order to get the accuracy of the data. So some very important information would have come out of it.

And there were some key issues that the research led to, which, I having read allowed me to change my perspective as a driver, with 30 years driving

experience, to understand that it will not be a bad thing to raise the upper limits to the 100 kilometres as being suggested by the Bill today. And I had to understand and I was hoping that that would have been the position the technocrats at the traffic engineering department would have used because, to me, it sounds like the most reasonable approach to determine the best speed. And in this research done by the US Department of Transportation, they said that:

“The majority of motorists select a speed to reach their destination in the shortest possible time and to avoid endangering themselves, others and their property.”

So in selecting their speeds, motorists would consider the roadway, the condition, traffic, weather and many other situational issues while they are driving and based on that a reasonable-thinking driver will come up to a particular speed. What the test also did, it looked at, in certain areas dropping the speed limit by 5, 10, 15 and 20 kilos and then in some sites they raised it by 10, 15, 20 kilos to see what was the effect on the overall speeds that drivers would drive at. And one of the primary reasons the research said for setting speed limits lower than the speed that they would have considered safe and reasonable was that there is a frequently-held position that if you drive slower there would be less accidents. And the research set out to prove if that was so. And conversely, the research also said, well look, if we were to ramp up the speeds let us see if it is going to cause more accidents at the end of the day.

Mr. Deputy Speaker, what the research eventually found was quite the opposite, in that when you look at the summary of the findings based on the research done, one of the things that they came up with was that:

“Lowering speed limits by...(8, 16, 24, 26 km/h) at the study sites had”—only—“minor effect on vehicle speeds. Posting lower speed limits”—did—“not decrease the motorist’s speeds.”—they maintained what they are accustomed driving at.

Then conversely:

“Raising speed limits by...(8, 16 or 25 km/h) at the...sites”—also—“had a minor effect on vehicle speeds. In other words, an increase in the posted speed limit did not create a corresponding increase in the vehicle speeds.”

The findings also went on to say, Mr. Deputy Speaker, that:

“Raising speed limits in the region of the 85th percentile speed has an

extremely beneficial effect on drivers complying with the posted speed limits.”

Now, what this 85 percentile really is, in testing the speeds of drivers over a fixed period of time they looked to see what is the average speed that 85 per cent of the drivers that we are testing today, what is the speed they were driving at. And they went ahead with the position that what the majority of drivers were driving at, that perhaps may be the best-suited speed because we are thinking that these drivers are reasonable thinking. They are using their experience, they are looking at the road conditions, the length of the roadway, the performance of drivers around them and that 85 percentile is where the sweet spot in terms of the speed limit ought to be.

What they also found, Mr. Deputy Speaker, that:

“Accidents at the 58 experimental sites where speed limits were lowered increased by...”—over 6 per cent.

They also found that:

“Accidents at the 41 experimental sites where speed limits were”—ramped up, accidents—“decreased by”—over 8 per cent. “The level of confidence of this estimate...”—were over 60 per cent.

So, the conclusion of this particular report that I read quite at length last night, it convinced me—providing that is the research and the assessment done by our engineering team at the Ministry of Works and Transport—that the majority of motorists on these highways, the increase in the speed of 20 kilometre to 100 kilometre per hour will not create an overwhelming amount of recklessness at that speed because the research said that there would be very little variation.

6.55 p.m.

What we would see happening is that, as the Member for Chaguanas East spoke about \$24 million in fines, you would see a vast reduction in the amount of traffic fines, in that drivers would tend to get in-between that variation of the 80 to 100 and be well within the limits of the law. So after reading this document I was satisfied that the increase in the speed limit for both classes of private vehicles and those vehicles that are below the 3,200 kilos which are the “T” vehicles—those SUVs and 4x4s—I am pretty much convinced that I, as a driver, who, very happily to be driven at 80 kilometres, will be safe on the nation’s highways.

So that being said, Mr. Deputy Speaker, I want to change the conversation a little bit in terms of, we have before us a Bill with a parent Bill with dozens of pages of fines and so on, and I am of the view that we are treating this Bill in this

country like what we treat most other things. You know, we like to treat the symptoms rather than treat the root causes of problems. And the Minister of Health may agree with me that, you know, we have a line of medication for runny nose, itchy eyes, sneezing. You know, we treat every single symptom for the common cold and there are very few medications that deal with the issues of toxicity at your kidney level that really creates a stronger immune system so you would not have to buy all these medication.

The point that I want to get at, Mr. Deputy Speaker, is the Motor Vehicles and Road Traffic (Amdt.) Bill really talks about fines and it talks about fines for speeding, reckless driving, road rage, illegal parking. It tries to treat the issue of the road carnage with the hope that having a control, a policing of the roadway, really is the cure. And I am of the view, Mr. Deputy Speaker, that we need to start treating the root cause. Why are people busy? Why are we speeding? Why are we angry on the nation's highways? And, Mr. Deputy Speaker, if we can address those concerns, in the economic times that we are in, I assure you the money that we would save in putting more red-light cameras, more police, more vehicles, that money over the next 10 to 15 years could really go into our infrastructure, in building more homes for our citizens, improving our medical care, and so on.

So I would like to crave your indulgence for a couple of minutes while I speak to some of—how do we address the root causes of that anger and that aggression that our drivers display on the roads. As the Member for Tabaquite mentioned a little while ago, his information is that we have 900,000 motor vehicles on the road and that is quite a bit of vehicles for our roadways, and traffic congestion is a result of a supply and demand issue. We have a fixed supply of roadway in this country and we are constrained by geography; we are constrained by cost, but we have unlimited demand for the very same roadway.

How are we going to move 900,000 vehicles in any given period over a period of time in this country? How do we do it? What happens is that we end up in gridlock, we end up in traffic congestion on the highways. If you live close to the town centres, it takes you about an hour to move from Ste. Madeleine into San Fernando. It takes you almost two hours to get from Trincity into Port of Spain. And we have drivers—most of those vehicles you have one person in the car and they are in the middle of the congestion and they are angry, because “I have to leave home at an ungodly hour to get to work”. And being selfish people, as drivers we all are, we are vexed with everybody else in the traffic. You know? We are vexed because, you know, traffic coming from the left, from the right, in

front, and we are angry. But we are also part of the problem. Because I could have found out from my neighbours, “Which one of you is going to Port of Spain every day? Perhaps we could car pool and create a situation where we could reduce the amount of traffic on the roadway.”

So being selfish drivers; it is all about us. So sometimes the traffic management unit makes changes in your town centres. And we have a problem right now in Rio Claro. We have made some changes to alleviate a traffic issue by the Rio Claro Hindu School but I have people coming to my office vex—blue vex—because “I am being inconvenienced”. But that is a selfish approach because we are trying to find a way to create a smoother flow of traffic for the entire community. And that is what really creates the anger among our citizens. You know, we constantly—we tell our public servants that, you know, “You all are too aggressive. You swell up your face when I reach in front the counter.” But these are the very same people who are stuck in traffic for three hours, four hours, back and forth from work, and they are naturally angry.

So, Mr. Deputy Speaker, how do we fix that? How do we create a new paradigm in which we try to deal with the root cause of the problem? And when you deal with the root cause of the problem, we eliminate the need from having to manage every single symptom, and sometimes there are other beneficial effects of dealing with the root causes.

One of the things that I have been championing for, for many, many years in my own constituency, sitting as the head of our business chamber for many, many years, is that we ought to be working smarter. Decentralization is something that has been bandied about for years and there has been no true opportunity to do that. And while it has happened in some small measure, I think successive governments have not really done more in terms of moving some of the centralized services from our town centres into our communities.

And if we look at some numbers, I understand we have about 87,000 public servants—and I am just speaking on the issue of the public service because we have numbers for those areas so I will use my numbers using the public service. If you divide that amongst the 41 constituencies that we have in this country, you end up with about 6,000. And if 50 per cent of that number has cars, you end up with about 3,000 cars leaving the constituencies to get into the town centres to work. How do we stop, or how do we prevent, how do we reduce 3,000 cars from leaving Mayaro/Rio Claro and heading into Port of Spain, heading into San Fernando, heading into Chaguanas on a daily basis? And obviously, Mr. Deputy Speaker, the answer lies in what are they doing in these town centres that they

cannot do in Rio Claro, or they cannot do in Mayaro? What is the work that they are doing that cannot be done remotely via technology in your local area?

Mr. Deputy-Speaker, if one-fifth, or one-tenth, which is about 100,000 cars, are stuck in traffic for five-and-a-half hours each day—and I am saying this from my experience—leaving Mayaro to come to Port of Spain prior to the advent of the bus route pass, it would take me three and a half hours. If I leave home at 4.30 I will get to Port of Spain around eight o'clock. If I leave at 5.00, I will not get to Port of Spain until after 9.00. And then I can tell you of an experience, leaving my office in Port of Spain on Maraval Road many years ago at 4.30 and I listened to the five o'clock news, six o'clock news, seven o'clock new, and there was no news at eight o'clock but I knew when the time passed because you sat in traffic. Now, Mr. Deputy Speaker, if you multiply 100,000 cars—let us assume it is one person, one worker inside that car for five and a half hours a day, 240 days a year, we are losing on average, 144 million man hours. That has a definite impact in how we do our business here.

I would like to give you an example of a situation with one of my OJTs just this week. My OJT had me sign a form to get her passport and I gave her a day off and she goes to San Fernando for the appointment, only to be told that because I made an error and I put one line and I initialled it, the passport office say, "Well, we are not going to take that. You have to go back and redo the form." So she comes back. I redo the form. She takes another day off. And we lost two days' work. She had to drive to San Fernando on two occasions. And I am sure if you extrapolate that by 5,000 or 6,000 people with a similar situation, that is causing the traffic congestion; it is causing the need for all these sets of fines and penalties that we are putting out there to really manage the symptom rather than the cause.

Mr. Deputy Speaker, at no time in the history of this country have we had more fibre infrastructure laid out in Trinidad and Tobago, through Flow, TSTT, Digicel, all these other providers, and there is nothing technology-wise that is preventing the decentralization of Government service into rural communities. If I were to just give a simple example. Let us assume my OJT had this appointment for the passport office, but there was an office of the immigration department in Rio Claro, let us assume in—the Member for Tabaquite talked about regional complexes where you have—

Mr. Deyalsingh: Mr. Deputy Speaker, I really hate to do this, but 48(1) please.

Mr. Deputy Speaker: Overruled. Proceed.

Mr. R. Paray: Thank you very much, Mr. Deputy Speaker. [*Desk thumping*] Mr. Deputy Speaker, I will still oblige the hon. Member for St. Joseph, that I want to tie it in. It is important that I tie it in—that we are looking at amending Bills that are charging and penalizing people for driving, and so on, and all we are saying is that if we can treat the causes we may be able to make some headway as we go forward.

Mr. Deputy Speaker, if we had decentralized that service into Rio Claro this young lady may have taken just one hour, and when she takes one hour and the error popped up, it means that she ran back to the office; we change the form; she comes back, and she would have been able to have the officers who are sitting in Rio Claro upload the forms, upload the photos and all she would have had to do, Mr. Deputy Speaker, was go to San Fernando to pick up the passport on any given day. That saves time, it saves money, it reduces the traffic congestion. But this is just an example, Mr. Deputy Speaker, and if you extrapolate that through all Government ministries and you decentralize, we solve the particular problem of having all these vehicles pushing itself into our town centres.

Mr. Deputy Speaker, as I come to a close, [*Desk thumping*] I just want to add that besides dealing with just the traffic, when you now have our public servants who can work closer to home, it is also improving their family time because they can leave home at more gentle hours, you know; make sure that the kids have breakfast; drop them safely to school; pick them back up in the evening; have their dinner; see their homework, you have a much happier employee coming to work on time. And you know, the general service, the quality of service improves at the end of the day.

So these are the kinds of paradigm shifts that this Government brought into their budget conversation this year and these are the kinds of things that we ought to be looking at. I give my full support to the Attorney General for the Bill. [*Desk thumping*] I have convinced myself, based on the research that I have done that it will not impact in any dangerous way for drivers with the increase by 20 kilometres on the highway, and I am happy to support the Bill at this time.

So thank you very much, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Princes Town. [*Desk thumping*]

Mr. Barry Padarath (Princes Town): Thank you, Mr. Deputy Speaker. I do not intend to take very long except to say, to make some points that I believe are

important to today's debate. Mr. Deputy Speaker, in preparation for today's debate on this particular Bill that deals with amending the Motor Vehicles and Road Traffic Act, two things came to mind, one of which was an old adage which says: "To whom much is given, much is expected." But also, when I listened to the Member for San Fernando West, I was also reminded of something which says: "With great power comes much greater responsibility."

And having said that, I took my mind back to when we were debating:

"An Act to amend the Motor Vehicles and Road Traffic Act...to introduce a system of traffic violations for certain breaches of the Act to provide for the implementation of a red-light camera system, a demerit point system and the reform of the fixed penalty system and related legal proceedings and other related matters"

And when I took my mind back to when the AG piloted that particular Bill, I recall that the AG was at pains to speak about—and for most of his contribution he kept tying back the point of the culture change that was needed, and much needed in Trinidad and Tobago, in terms of our attitude, in terms of our disposition, in terms of bringing about holistic change, whether it is in the area of road traffic management, whether it is in the area of garbage collection, in every facet of life in Trinidad and Tobago. And I think that was an important point that has been made by consecutive Members.

Mr. Deputy Speaker, in light of that, I decided to take a look at how other countries that we share similar jurisprudence with, would have effected some of these cultural norms and changes that they wanted to see in their population. And particularly, in 2015, when you look at the Canadian legislation and you look at the South African legislation, they dealt with something called the psychology of changing cultures, attitudes and disposition. And I just wanted to share a little bit of that, because that has been our major challenge when it comes to effecting any real tangible, meaningful change in Trinidad and Tobago.

And as we go forward with specific pieces of legislation that will impact on the motoring public in terms of their behaviour on our roadways and carriageways, it is important in terms of how do we measure whether or not the message is resonating with some of them, and how do we get to the point where we want to be. Because, obviously, we know—the hon. Member for San Fernando West and other Members have made the point that, yes, we want to see progress, but we know that it will take a considerable amount of time to see those attitude changes, the norms and the dispositions with respect to adherence to the

laws and the revised laws of Trinidad and Tobago as mentioned also by my colleague for Point Fortin.

Mr. Deputy Speaker, there was a 10-point plan with respect to Canada and South Africa in terms of how they decided to deal with the psychology of changing cultures, attitudes and dispositions in terms of the adherence to their laws, especially traffic regulations. The first one was that they identified a set of desired values and behaviours. Again, this is what we are doing today. But they indicated that our leaders clearly describe the values and behaviours that we are seeking and embody those. The second one was to align the culture with strategy and processes, and I believe the Member for Tabaquite, well, he gave us the instances of experiences that he had had on the roadways. This ties into this particular point of aligning culture with strategy and processes; looking at our mission, our vision and values and consider how they line up with our processes, including performance management; things like compensation in terms of, again, one of the issues that was dealt with when asked by the Member for San Fernando West in terms of the cable barriers, that in the existing law it allows for persons who have gone into the realm of creating these accidents and destroying those barriers that, by law, it is already on our statute that part of their responsibility will be to ensure that the situation is rectified in terms of repairing to the original status that these cable barriers were first met prior to the accident.

And, Mr. Deputy Speaker, in my short contribution I will want to deal with the issue of the cable barriers in a minute.

Mr. Deputy Speaker, as well, we looked at in that 10-point plan that was dealt with, with respect to Canada and South Africa, was to connect with culture and the accountability. It said that each of us in this room can think about companies that have struggled to deal with culture, but it had to do with that personal choice of attitudinal change.

They spoke about having visual proponents for culture change to stick, it must be a priority of those that have that responsibility. And it comes to the point that when we speak of a great responsibility and in terms of responsibility when we give people power, today's Bill before this House also requires a greater responsibility of the State to put mechanisms in place in terms of dealing with increasing the speed limit. Mr. Deputy Speaker, they also spoke about measuring, and it is something that I spoke about earlier in terms of how do we use benchmarks to identify that we are getting to where we want to be? Then they indicated that while we will want to see those changes being effected, we cannot rush those changes and we have to expect—and therefore, again, there must be a

plan coming forward by Government in terms of addressing the areas of concern that the population has in terms of a national campaign, in terms of enforcing.

Because I will tell you this. Many young people—I do not know—I know for a fact that there has been much public debate with respect to increasing the speed limit in Trinidad and Tobago. A lot of young people have been messaging me: “MP, do you know whether or not they have already done it?” Some people do not pay attention to the Parliament or the legislative agenda in terms of what Government is doing or even what we are doing here in the Parliament. But I know for sure that one of the areas of concern was this particular piece of legislation that people were interested in, whether or not they will have the opportunity to go beyond the existing limit, because it provided some sort of frustration on our nation’s roads.

But, Mr. Deputy Speaker, while today—as the Member for Tabaquite has said that it is a populist issue and that it will resonate and it will find a lot of favour with the general public, especially motoring public, there are also those on the other side who have had experiences in this country and elsewhere, that will be very apprehensive. And that area that was dealt with in that specific report in Canada and South Africa said, “You know what? Do not rush this thing. Do a proper public awareness campaign and let us be able to measure how you are seeing actual progress with respect to the implementation and the adherence to these laws.”

Mr. Deputy Speaker, they also spoke about—and again, the Attorney General spoke, together with the Member for Tabaquite, that we cannot be afraid to take the necessary decisions that probably former administrations have failed to implement, but we at this point, cannot be afraid to make the serious changes that we wish to see in the society. And therefore, I believe that if the Member for San Fernando West takes a look at those two particular studies he will find it particularly enlightening in terms of how those two countries were able to advance their pieces of legislation.

Mr. Deputy Speaker, I want to turn to the area of statistics, and I know the Member for Point Fortin spoke, as well as the Member for Mayaro, about the decreases that we have seen with respect to road carnage over the last 10 years. I also want to join with the Member for San Fernando West in paying tribute to the work that has been done with organizations like Arrive Alive. I will tell you this. For a long while there was an absence of real tangible statistics that dealt with road carnage in our country. We depended on, sometimes the newspapers, to provide us with those things, in terms of tallying and so on. But there was always

a disconnect in terms of what was classified in terms of the proportions of road carnage in terms of death, serious accidents, et cetera. And for a long while Arrive Alive really assisted in helping to fulfil that role and that mandate, together with other areas, in terms of reducing and also sensitizing the public in terms of their responsibility and their role when it comes to road usage.

But, Mr. Deputy Speaker, in 2017 on the *Trinidad Guardian*, published on January 11th by Alexander Bruzual, it spoke about road accidents being reduced by 11 per cent. I also want to turn to an article on the *Trinidad Guardian* published on Friday, December 25, 2015, that spoke about the statistics and it spoke about the reduction by 8 per cent. And in both articles there were a lot of similarities in terms of what created some of these reductions and what attributed to some of these reductions. And, again, several Members have spoken about the issue of the speed guns, the issue of the Breathalyzer test, the cable barriers and so on, and I am happy to see that there is a continuous move towards a decrease in road carnage in our roads. But, again, when the Member for Point Fortin spoke about the law enforcement bodies in Trinidad and Tobago, I want to remind the hon. Member and Members opposite, that it not only requires legislation through the Parliament but it also requires equipping our law enforcement with the necessary tools, and that is why we were able to see significant reduction in terms of road carnage.

You know, I met the Minister of Works and Transport prior to today's sitting and we were able to discuss for a few minutes, the Bill that is before the House right now. And I said: "Hon. Minister, you know, I have no indication and I have no intention of being adversarial when it comes to this particular piece of legislation because I believe that supporting this piece of legislation will see a serious culture change in Trinidad and Tobago in terms of the motoring public, but also, at the same time, we must be able to assist those like Arrive Alive, like other organizations, like the law enforcement, in terms of providing them with the real tangible tools so that they would be able to get the job done."

And when you look at 2014 when we were in the government and we were able to provide for these speed guns and we were able to change some of the laws at that time, we were focusing on an entire culture change and I am happy to see the Member for San Fernando West is embracing that as well, because that is the area in which we need to go along. Sometimes we may not always agree and that is the system of our politics in the Westminster system, but the thing about it, I think today is really a historic day and a good day for Trinidad and Tobago, especially the young people who are looking on with keen interest with this

particular piece of legislation; that it is a good day that we can come together as a responsible Opposition and a Government to ensure that the lives and safety of the people of Trinidad and Tobago [*Desk thumping*] is placed as our priority.

Mr. Deputy Speaker, I want to quote from the *Hansard* of the 16th of the 10th month, 2017 during the Standing Finance Committee. I quote:

“Mr. Padarath: Thank you, Madam Chair. Hon. Minister, again on line Item 12, Materials and Supplies. Minister, I have been noticing on the highways that the issue of the cable barriers, the repair of those cable barriers continue to be a burning issue, in that, when there are accidents it takes a long while for the cable barriers to be repaired, and in many instances when you drive from north to south, there are many instances where those barriers have not been repaired in months. Could you give us an indication of how through this vote and in any other area, a programme would be put in place to deal with the cable barriers? I know the reason for justifying the bringing on of the cable barriers was really to save lives, but if we have where it is not being repaired months on, then it is not really effecting what it was supposed to do.”

Mr. Deputy, in that Standing Finance Committee, the hon. Minister of Works and Transport responded, and this was the response:

“Hon. Sinanan: The Item that you are speaking about is under Other Contracted Services, and it is something that we are looking at because it is a very expensive maintenance. I can tell you at the Ministry right now we are looking at doing a feasibility study whether we can continue to afford it, because the maintenance is very, very expensive.”

These were words of the Minister of Works and Transport. Mr. Deputy Speaker, this morning I saw the Minister of Works and Transport on CNC3, together with Sharon Inglefield from Arrive Alive, and when posed with this same question, he sort of danced around the issue. Mr. Deputy Speaker, when you look again at that report that was commissioned by the Government of Canada with specific reference to the Province of British Columbia and also South Africa, one of the areas of research that came out of that by an institution called the “Bureau of Field Services, Attitudinal Changes and Measurements of Cable Median Barriers, it stated that it is a cost-effective means towards saving lives.

This is what the report produced. However, my colleague, the Minister of Works and Transport is telling us that what they are going to do is that they are going to look at a feasibility study. Mr. Deputy Speaker, this is the same Ministry of Works and Transport where we have had several feasibility studies that cost

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this country over half a billion dollars. And it is my sincere hope that we will not see, with respect to the cable barriers, a similar situation arising where a feasibility study will be done and there will be still no maintenance of these cable barriers and there will be no decision that will be taken. I know, again, when the People's Partnership was in government, this was a priority of ours and it worked.

7.25 p.m.

I remember the Member for Tabaquite was reminding me a few days ago where a cement truck in the vicinity of the Tarouba Stadium slammed into several vehicles and was able to not cross the median because of those cable barriers. Mr. Deputy Speaker, we have seen from time and time again how families have been affected in this country. You know, from my own personal experience, I remember I had a very close friend at the University of the West Indies that died in one of those accidents because of the fact that a car had crossed the median and slammed into his vehicle. Snuffed out the life of a young—and who knows, he may have been a politician today because he was studying government at the University of the West Indies.

I recall when I became a Member of Parliament, the most burning issue in the media at that time was a young man who became paralyzed from the constituency of Princes Town. The hospital had given up on him but his family did not give up on him, and they took him home and they fed him through tubes and so on. When it was brought to my attention—because he was from a very impoverished home—I visited that home, and I remember when I visited that home purely coincidental, the media was there and they took a photograph of me with a mask and gloves and there was much public comment on why I was wearing a mask and gloves. It was not very complimentary to me because there was much speculation in terms of whether or not I felt that I was not in a conducive environment in terms of sanitation and so on, but it had to do with the parents had asked me to put on these gloves and the mask so that he will not get an infection because they tried their entire best to ensure that they kept him alive.

But, as the hon. Attorney General will tell you, and I am sure through his own research and from his department at the Attorney General's Office, there have been many families in this country who are still awaiting justice, where there would have been hit and run incidents in this country, and I remember that young man, Chaitram, he died recently without receiving justice. We saw recently where two young children were orphaned. They will grow up without having a mother and a father, and this is how the flipside to increasing today's speed limit will have continuous impact on people's life. Mr. Deputy Speaker, while there is

good there is also bad and we accept that, but I also come back to the point that I made earlier today, that while we put the power in the hands of the motoring public, the State must also accept that there is a greater responsibility towards them in putting the mechanisms in place to ensure that we provide that support from instances that will be derived from accidents that will occur from time to time.

Mr. Deputy Speaker, I would also like to look at the issue of insurances. When you look at insurances in Trinidad and Tobago you will notice that 43 per cent of all insurances in Trinidad and Tobago has to do with motor vehicular insurances. I recall in 2017, September 2017, the Association of Trinidad and Tobago Insurance Companies, (ATTIC), they sent out a pre-budget press release and in that pre-budget press release they called for strengthening of the motor vehicle insurance laws in Trinidad and Tobago, and that is something probably in the hon. Attorney General's wrapping up that he may wish to look at in terms of whether or not Trinidad and Tobago would look at strengthening its motor vehicle insurance laws. The Member for Tabaquite spoke about that there are many persons driving without licences in this country, but there are also many persons driving vehicles that have expired insurances or have no insurances at all.

Mr. Deputy Speaker, as I indicated, in that press release sent out by ATTIC in September of 2017, they also called for the introduction of night courts, traffic courts, et cetera, which is something that I think on both sides of the House we have called for from time to time when we were in Opposition. But, Mr. Deputy Speaker, when we debated the Bill that dealt with moving traffic offences into violations, I spoke about the tribunal that was set up and that continues to exist in the UK, and I noticed that ATTIC is one of those organizations that has taken note of it as well and they also have been advocating for some sort of system. It cannot be that with an apprehensive society like Trinidad and Tobago where we are seeing continuous taxes being implemented, that whether or not this increase in the speed limit that people will also feel that this is some sort of Ponzi scheme, that it is some sort of trap as well to increase revenues for Government. Again, I hope that is not the intention, hon. Members, but more so to empower our motoring public by giving them a greater degree of responsibility on our nation's roads, but also at the same time accepting to themselves a greater sense of responsibility onto the Government.

Mr. Deputy Speaker, I want to turn my attention a little bit to Canada again, in particular, because there were several provinces in Canada, hon. Attorney General, that if you look at in 2015, they increased their rates in terms of the

speed limits from 80 to 110, and in the space of two years they have had to reduce it back to 80 because of the fact that there has been an 11 per cent increase when it comes to accidents, and so on, that have been attributed to the increase in the speed limit. Again, when we look at these international benchmarks I think that there is a situation that is developing in Jamaica which is very close to us but it has not reached the point where they are reviewing their current legislation and so on, but in terms of the Commonwealth, if we look at Canada and we look at South Africa you would see in several instances where in fact that they did increase their speed limits and then they had to reduce it two years later because of the conditions that were occurring on the nation's roads.

The statistics in Canada also show that three in every four drivers travel above the speed limit on Canada's busiest highways and carriageways, and the Member for Tabaquite alluded a little bit to that culture. I will tell you this, Mr. Deputy Speaker, at times I myself—if I am honest and Members are honest in this House— I know the Member for San Fernando East has been caught with this before. *[Interruption]*

Mr. Deputy Speaker: Member, direct the Chair please.

Mr. B. Padarath: But if we are honest with ourselves, and I said *[Crosstalk]* I know it has happened to me, sometimes your foot accelerates a little bit beyond and you have to remind yourself you are going beyond the speed limit. That reminder comes especially when you see those flashing blue lights along the highway.

Mr. Deputy Speaker, I will tell you this as well. The culture among young Trinbagonians, especially during the Carnival period—I am a Carnival baby. I love Carnival, I play mas. I am a Trini, Carnival is my thing. I know how to party as one Trinidadian had already said *[Desk thumping]* but when you take the wheel into your hands, you not only take your life into your hands but the lives of others. I have said in this House before, I am not ashamed of it because on every occasion—seven times since I have become a Member of Parliament I have had a Breathalyzer. On seven occasions, several coming from these Carnival events, but that is a culture among the young people of Trinidad and Tobago. And today, while we give them that greater power, I remind them of that greater responsibility as we go into that Christmas season and then into Carnival, and I think it is something that several Members have spoken of, especially on the Government side as well, it comes down to law enforcement and abiding and adhering to the laws. I remember on several occasions when I was stopped people said to me, “Boy why they stop you? You is a MP.” I joined the queue, I

kept my mouth shut until they asked me to open, of course, to blow into the Breathalyzer and I complied.

Mr. Deputy Speaker, no one in this country is absolved from the laws of Trinidad and Tobago, and I implore all law-abiding citizens to ensure that when you see these changes being made to our legislation, as we have seen today and on previous occasions, it is for the betterment of our population, and I am happy the Member for Caroni East referred to Arrival Alive again. That culture with that Breathalyzer really took effect, not because of Government, or Opposition, or any Member of Parliament, or any Senator, or any public official, it came because of the hard work of people in Trinidad and Tobago that started organizations [*Desk thumping*] like Arrival Alive. I am very happy when I hear that the Government has indicated that they are continuing from the path that we took in the People's Partnership into partnering with Arrive Alive, but I want to say this also. It cannot be that you are only there for the good times. To accept when you see that road carnage is decreasing that you say, "Well yes, we will appear on television with Arrive Alive". They require the support that also means financial support, and the work that they have been doing have been yielding results in Trinidad and Tobago. So again, I implore my colleague, the Member for San Fernando West, and the Minister of Works and Transport, to really look at providing additional support to Arrival Alive so that they are able to continue the good work that they are utilizing.

Going back to the cable barriers, I know in some parts of Trinidad and Tobago, especially around Nestlé, where the Grand Bazaar intersection is, we have been using what you call the New Jersey barriers, which are the concrete barriers, but they are sometimes coated with plastic which is another way of being a little bit more cost effective. However, sometimes it does not have the same result as the cable barriers, in that, it can cause more harm than good in several instances as we have seen in the past. But again, hon. Minister, when you talked about cost effectiveness and looking at the feasibility study, several countries have determined that saving lives is much more important and they have determined that it is a cost effective measure. Again, if you look at the New Jersey model in terms of those barriers that they utilize, that we utilize in parts of Trinidad especially along the East-West Corridor, you will be able to identify some means in terms of further utilizing those in other parts especially the north to south route.

You know, I am coming up from South today and I am looking along the highway, and I can tell you from Tarouba, the turn off to go to Princes Town,

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straight up to Grand Bazaar, most of the cable barriers are down, and therefore, I really want to implore—I mean, it is good to see you on television, hon. Minister, becoming part of the awareness campaign and so on, but lip service will not cut the mustard. We need to ensure that we put systems in place, and therefore, that is why—you know I really want to compliment the Member for Siparia. It was her vision and her foresight [*Desk thumping*] in terms of saving lives that brought 21st Century technology and innovation to Trinidad and Tobago when it came to the motoring public.

Mr. Deputy Speaker, I know several Members have dealt with the issue of the MVA, the Licensing, and so on, and all of that the hon. Attorney General has to do, again, with the culture. I know it is becoming a little bit repetitive now and many of you want to go home—I am seeing sleep on your faces—but really these were some of the areas I really wanted to address. I could have gone into great depth in terms of providing some of the statistics and so on, but I believe just as we are responsible on this side and our heart is in the right place in terms of providing for the people of Trinidad and Tobago, as I have said, many of us, whether it is on this side of the House or on that side, have had an incident, whether it is a friend, whether it is a loved one, where they have lost their lives because of speeding on our nation's roads.

I want to also remind Members—I am seeing the Minister of Sport is not here, the Member for Diego Martin Central—that it was a People's Partnership Government that spent a significant amount of time dealing with motor racing in Trinidad and Tobago, that took motor racing off the streets and the highways of Trinidad and Tobago that was a culture that the PNM allowed to foster. But, Mr. Deputy Speaker, I am hoping that the Member for Diego Martin Central, that that would be a thing of the past where we will utilize that facility. I believe it is in the area of Carlsen Field, Wallerfield sorry, not Carlsen Field, Wallerfield, that we will allow to have those who enjoy that type of motor sport, have a facility—and not just open People's Partnership facilities like the Aquatic Centre and the—
[*Interruption*]

Mr. Deyalsingh: Mr. Deputy Speaker, Standing Order 48(1).

Mr. Deputy Speaker: Member, again, tie it in and your initial 30 minutes is almost up. You have one more minute. I know you have been saying you are wrapping up, do you care to extend your time also?

Mr. B. Padarath: Yes Sir.

Mr. Deputy Speaker: All right. So proceed, but tie it up and let us bring it to a closure.

Mr. B. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I will not just speed along, but continue to make the points that I believe will affect the lives of citizens of Trinidad and Tobago as it pertains to the Bill that is before the House today. And as I said, when we look at the mechanisms that have been put in place by the State, today while we give great power to our citizens I remind the Government, again, that they have a responsibility, and a greater responsibility, and it is in that context I raised, removing from our nation's highways the speeding but also the drag racing.

Mr. Deputy Speaker, I know that is very popular among the young people of our country, and therefore, that is why I am advocating today as the Member for Princes Town, but also as the shadow Member that deals with sport and youth affairs, that look into these areas where you can provide the recreation, where they enjoy these areas of speeding and drag racing, to take it off the roads and really put it where it belong. That is why I am congratulating the Partnership for having the foresight of having to do that, but I am imploring the Member for Diego Martin Central and those opposite to contribute their time and their effort in support of activities like those that would take it off from the motoring public.

Mr. Deputy Speaker, my colleague, the Member for Fyzabad, asked me to raise the point that he felt that we should look at things like cordoning off the priority bus route—because there are communities along the priority bus routes—to avoid accidents and road carnage in terms of pedestrian traffic, but also in terms of utilizing the signage and the signboards—the electric one—along the highway so that we can institute a system that is very similar to what occurs in many parts of the developed world, where you see on the banners where they identify that there are accidents ahead, or that there is traffic ahead.

Mr. Deputy Speaker, with those few words, I thank you for the opportunity to be able to contribute today, but while I give my thanks, however—[*Interruption*]

Mr. Deputy Speaker: Silence!

Mr. B. Padarath:—I come back to the fundamental point—[*Interruption*]

Mr. Deputy Speaker: Silence!

Mr. B. Padarath:—of the entire debate today and, this is, Government must not feel that they have done the population a favour. It is because of the measures that you took, that today you have to come and remedy the situation because of the frustration and so on that was occurring on the nation's roadways. But I want to also say to you that the greater responsibility and power lies with you, the

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Government. You have given the power to the people in their hands in terms of increasing the speed limit, but now the onus is on you to accept responsibility for mechanisms that will be put in place to further reduce the road carnage, but also to bring about greater awareness to the motoring public of Trinidad and Tobago.

With that, Mr. Deputy Speaker, I thank you. [*Desk thumping*]

Mr. Deputy Speaker: Attorney General? Before I recognize the Attorney General, I would like to deal with the Procedural Motion for the sitting going beyond 8.00 p.m., according to Standing Order 15(5). I call the Leader of the House.

PROCEDURAL MOTION

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. In accordance with Standing Order 15(5), I beg to move that the House continue to sit until the completion of this Bill.

Question put and agreed to.

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) (NO.2) BILL, 2017

The Attorney General (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. I rise to bring conclusion to the work at hand in wrapping up this Bill, and I would like to offer sincere thanks to the Members that have spoken today on both sides of the House. A lot of the material presented was sincere.

[MADAM SPEAKER *in the Chair*]

There was some excellent research and I think that we have reflected well as a Parliament on the work—as I welcome you, Madam Speaker, to the Chair—that we have reflected well on the material at hand.

Madam Speaker, the Member for Tabaquite raised a very important issue and he said that he had made a call across to the works division asking for statistical information, and therefore, put in enquiry as to what state of completion we were actually in in terms of the work completed for the operationalization of the motor vehicle and road traffic amendments that we did on the last occasion. Similarly, the Member for Mayaro asked the question, where did this speed come from? And he interrogated quite properly the data that stands behind a move such as this. Indeed, the Member for Princes Town reflected similarly on that ground. The fact is that the Member for Tabaquite put it really well. He put it in the

context, hon. Member, of whether this is a popular decision, or is it devoid from the facts because one ought to be careful about making a decision which is popular and not fact driven, and I thank the hon. Members for that. Therefore, it is incumbent to speak to where this speed came from, it is incumbent to put on to the record the nature of the material that was traversed by the engineering experts at the Ministry of Works and Transport, and I wish to assure hon. Members that it is well and truly data driven.

I can say, Member for Tabaquite, that there are 1,016,265 registered vehicles in Trinidad and Tobago—*[Interruption]*

Dr. Rambachan: One million—*[Interruption]*

Hon. F. Al-Rawi: One million, sixteen thousand, two hundred and sixty-five vehicles. Secondly, I am able to also inform that there are 654,895 drivers' permits on the system. So 654,895 drivers' permit. So we have really a ratio of 2:1 in terms of vehicles to drivers. Again, perhaps an indication of the prosperity of this nation, but also attenuated by some of the ease of importation that we had in the foreign used market over the years 1997—2015 as we attended to points. But, Madam Speaker, what I can say is that, first of all, the engineering behind this took avail of one, historical data; and two, it also took avail of actual current data.

With respect to the historical data, we did in fact use data from 2012 and 2013 involving the remote traffic microwave system. Regrettably, that system broke down in 2013 and we were not therefore able to have data that went from the period 2013 come forward, but that system really is one that allowed you to have reflection upon not only average speeds and average occupancy but total volume and total user occupation for bringing to life data which suggest changes in the high occupancy vehicle lane that we see in other jurisdictions, et cetera. The spot speeds which were done to anchor the current data were done across the major highways, and the spot speeds were done again reflective of volume, utilization, but it was done across a spectrum looking for low rates of velocity and high rates as well.

They also were done at the various times of day and the traffic analysis and volume analysis by the Ministry was actually quite impressive. It not only demonstrated what maximum and peak hour traffic speeds look like, but it also looked at the opportunities to go beyond the speed limit as prescribed, which are the hours that are more dangerous, which are not, where is it that people actually find themselves heavy-footed as the Member for Princes Town put it a little while

ago. And suffice it to say that the range of traffic flow really is driven by the utilization of daylight hours and working conditions. As our major arteries become clogged, obviously the velocity is reduced. As we go into the late night and early morning periods we also see that there is a speed up. Now, what I can say with certainty is that the Churchill-Roosevelt Highway, the Beetham Highway, the Uriah Butler Highway, the Sir Solomon Hochoy Highway, those are all engineered in per lane activity to host 1,300 vehicles per lane, per hour. That is also the metric that is now associated with road user conditions.

Now, we have been reflecting upon the barriers and the cable barriers in particular, and the New Jersey system of management. It is not actually concrete with plastic over it but it is plastic with water in it, and that is the New Jersey barrier system that you see often in the movies where you see a car colliding with something and they are met with these barriers that collapse and water goes everywhere. But the point is this data utilization marries in with improvements to the carriageways, and the Engineering Division was very careful to look at these metrics. In managing it, they obviously referred to the international standards. We looked to the width of the highways, we looked to the markers on the highways, and I would like to on the position of thermal markers or delineation of the roadways, I want to pay another glowing compliment to the Ministry of Works and Transport because they have managed in an eight-month period to do on an in-house basis 70 per cent of the markings of all of Trinidad and Tobago, and that is no mean feat.

That throws a spanner into the works of people who believe that the public service is broken everywhere because there are divisions of excellence such as that division that I just referred to, that have managed in an eight-month period to do this kind of work which redounds again to people's safety because we are not just talking about speed, we are talking about lives, as so many Members have quite eloquently put it. That is to be met as well with the further analysis conducted because what the Engineering Division did in looking at road width, in looking at potholes, as it was raised by the Member for Tabaquite, a very important point, looking at lighting conditions, looking at railways and barriers, looking at the curve of roads as they move when you are dealing with centrifugal or centripetal forces as they act upon the velocity of a car as it is moving. When you look at all of these things, the work went even further.

It went further down to the ramp ways, the exits along our major roads and our secondary roads and, in fact, people will walk away from this debate thinking that we are talking about just 100 kilometres, or we are talking about 50

kilometres—50 in built-up areas, 100 kilometres, but we are not just thinking about that. In fact, in the orders to be issued, we are talking about 40 kilometres at interchanges and ramps, we are talking about 30 kilometres, for instance, at the Churchill-Roosevelt Highway frontage south road; we are talking about five kilometres, 20 kilometres, depending upon which area of the inner roads you are going to be driving on, and that falls under the rubric of the special order, the special speeds that we deal with. So there is definitely a matrix at work, there is the Second Schedule of the parent law which prescribes the 100, the 65, the 50. There is also the special speeds which relate to specific areas and specific roads like ramps, et cetera, and then secondary roads. So the delineation of speeds has been very, very careful.

We have in San Fernando as you know that very crazy interchange that really is mind-boggling depending upon which direction you are coming from, and you can miss a turn, find yourself on a barrier. I mean, those speeds are reduced to bare minimum speeds at that. So there really was a very scientific and careful approach to the delineation of speeds per road which is why it took us so long to not go with a popular request. We actually went with a fact driven, data driven request, because the data in summary demonstrates that the average speed that is used by persons when they can get away with it is about 125, 130. There are certainly much slower speeds, but our roads are designed—the major artery ways where we prescribe the 100 kilometres per hour, they are actually designed for 120 kilometres per hour, and therefore, we have used this metric of 125 as designed capacity versus 100 in the actual prescribed capacity. Therefore, it was a very scientific approach in arriving at this particular decision and, again, this redounds to the expertise of the Ministry of Works and Transport and their engineering aspects because they also referenced, in particular, the international handbooks on this basis.

Now, Madam Speaker, there are a few other points raised by my learned colleagues, and permit me just to touch upon them because there were some very important points. On the issue of statistics and the support for entities such as Arrival Alive, et cetera, there is definitely immense value in public/private operation because a Government can say all it wants. If the population is not buying into the messaging and if the population does not have advocates from the population other than Government or technocratic arms speaking, then you are really talking to yourself, you are legislating for yourself.

I found the following statistics quite interesting. If you look to the statistics of fatalities it is 76 per cent men, it is 24 per cent women. If you look to the age

brackets, 15 to 24, 16 per cent. The Member for Chaguanas East mentioned it, but I want to repeat it. Twenty-five to 34, 23 percent; 35 to 45, a drop down to nine; 45 to 54, back up to 17. So you are seeing those who still think they are young, past actual youth in the 45 to 54 at 17 per cent, and those who are properly young in the 17 to 24 bracket at 16 per cent. Well, those metrics sort of match up.

Mr. Indarsingh: You was a youth officer at 16? [*Laughter*]

Hon. F. Al-Rawi: So, now that we have that serious intervention by the Member for Couva South, a little levity is good for the soul. So I thank you. When we looked to these statistics we realized that this thing is not only the phenomenon of the youth, and therefore, we are not really just looking out for youthful drivers.

7.55 p.m.

Now, the Member for Tabaquite raised a very important point about the supervision of young drivers. I am very pleased to say that the insurance companies, by way of practice, do not give insurance certificates to young drivers unless they have matriculated through a defensive driving course and that is a step in the right direction. Secondly, we do know that several pieces of block law tried to give this 17-year-old prescriptive supervision, the mentoring, as it was put during the course of the debate, that is something that is certainly under view as we go through this thing in the layered approach that we are dealing with.

I am really very happy for Tobago in particular because Tobago suffered with this built-up area phenomenon for the whole island and therefore, with Tobago having the highways prescribed as they have, it really was an injustice to have the speed limit at 50 enforced throughout the island of Tobago, and I welcome them into the realm of equality.

The position with respect to data having been put out, I would like to say that in the recommendations put out by the Member for Princes Town that we look to other jurisdictions and understand how we change culture and reflecting upon our goals and ideals, respectfully, what was really missing in Trinidad and Tobago was the actual data and therefore, the priority for the Ministry of Works and Transport has been: collect the data. After you collect the data, test your data and then put your data into utilization. And I am very pleased to say, Member for Chaguanas East—I believe it was the Member for Chaguanas East who raised it, Madam Speaker. The question was asked: When have you seen in Trinidad and Tobago like you see in the United States or in the movies, a car pulls you over and your data comes up on the computer system? Well, you are going to see that very

soon because by April 2018, we anticipate that we will have gone live. We have worked out all of the steps for operationalization of this law down to the interaction of technology between the Judiciary, the traffic enforcement centre, the hub that will issue the citation notices, the TTPost that will issue the points.

So we have spent—and the technocrats are here from the Ministry of Works and Transport, and again, I take my hat off to them because when you crack that door and you go to that meeting, you are actually sitting down in a room of at least 30 people all dialled in on the same page, talking the same language about bringing law to life with operationalization, and that is why it is such a sincere pleasure to take the law in the manner in which we are doing, which is in a phased approach. We were waiting in analysis paralysis for perfect laws which were all encompassing, and it just made common sense practical approach to actually take it in stages.

I heard the Member for Princes Town speak about the introduction of the speed guns. I will remind Trinidad and Tobago that as of today, Legal Notice No. 142 takes effect. We have nine new speed guns authorized by way of Order pursuant to the legislation, section 62A onward, if my memory serves me right, and those guns that actually come in right now are the Lidar guns. So that means that from six, you add another nine more so I am telling motorists to beware. The enforcement of this actual repertoire is going to be improved by something which will come to Parliament shortly and that is the spot speed law.

See, we took the first pass in the guns and Princes Town was right. Yes, the amendments were made in the period 2010 to 2015 and I take my hat off to it. We supported it in a wholesome way if you recall. They are not too far different from the radical changes which Minister Imbert, as Minister then of Works and Transport had in dealing with the introduction of seat belts and more particularly, the breathalyzer because the breathalyzer is the instrument that has radically transformed our driving. And for the record, Minister Young tells me, he, as a Minister, was breathalyzed. I have been breathalyzed as well and I compliment the police. It was just on a—[*Interruption*] That was before elections, sorry. But what they did was to stop and treat with it. [*Crosstalk*] “Nah, they still enforce the law to all.” The law knows no barrier.

So, in treating with the introduction of the technology, in treating with the new law which we intend to bring which is the spot speed measure, that spot speed is going to be the one on each lamp post at various areas coming through Trinidad and Tobago which would allow us to enforce the law. So taking the very position that the Member for Mayaro and the Member for Chaguanas East

offered, it is not that we are putting more police onto the road, we are putting better technology in a functional system onto the road. And yes, we do have a better ratio and operation for the police because do not forget, we are adding 1,000 municipal police, many of whom are being hired up, as we speak, into the municipal corporations and we have redeployed the TTPS in a very different fashion. So the enforcement aspect on top of data is well in gear, and very importantly, in dealing with the corruption issue, it is the elimination of cash, it is the better systemization of facilities that will begin to take the scourge out of this.

The Member for Tabaquite raised something. He said in a personal experience, he was asked for \$700 to make the problem go away. Imagine this. There are 10,000 cars licenced per month; there are 12 months in a year. When you take that, 120,000 and you average it out to the anecdotal bribe of \$500 to get your licensing registered copy in gear and you think to yourself, “Yeah, nothing wrong, I will pay meh \$500, I will get out ah there fast, I cyar wait in this line.” For that particular man who is engaged or those people who are engaged in that small \$500, it is \$60 million in bribery a year in one aspect of it. [*Crosstalk*] Tax free. And the point is that this is the very reason why you need to go cashless and why you have to have your systems in place. The spot speed is going to be met—[*Interruption*] No, it does not but when you systemize the printing, when you go for the decentralization because we are decentralizing, using the TTPost print-off system, using the hub transit delivery, we are decentralizing all of these aspects but the backbone of data had to be put into place.

I want to say this as well. That data does not only go to Licensing, that data is in the TTPS and in the National Operations Centre. So that the police have real-time ability. When you layer on spot speed and next in line, RF ID tags, you are now talking about layering an approach to change culture in Trinidad and Tobago. [*Crosstalk*] Yes, well the billboards and the LED, two essential points done—the LED billboards and the flashing lights. Those are, in fact, matters of planning and enforcement.

But in an area where there is so much to be fixed, if you were to try and think of every single patch that you can do immediately, you will never get the job done. And most respectfully, I think that taking it in the manner in which the Government is doing right now, which is taking every win, whenever you try to get the chance and are just layering it up—it resembles the journey in moving from white belt to black belt. You do not get a black belt in martial arts the first day “yuh join”, you go through the ranks: white, yellow, orange, green, purple, purple, brown, brown, brown, black. And those are the stages that you go through because there is a measured approach to this aspect.

Madam Speaker, a very important point was raised in respect of reflections on the Victim Compensation Fund. There is a significant fund which is built upon the back of contributions coming from insurance companies and other places meant to compensate persons who are uninsured, et cetera. In fact, there is active litigation on that right now which is a very good and useful tool because it allows you to work out the process for something that was not operationalized for such a very long period of time.

We are coming now to the quick end, Madam Speaker. What I will say is that the utilization of opportunities like this to take a phased approach to the law is really the mechanism to take, even though we could have waited to join spot speed or join the other reforms that we are doing, we felt that it was high time that this is dealt with now. Data driven, statistically driven, engineered, operationalization going on at the same time. [*Crosstalk*] Education is part of the roll-out plan and advocacy. So, it was not as the Member for Princes Town put it, that the Minister of Works and Transport, who is a very hard-working man, was showing up on television, it is that Ministry that has been driving the process and taking lead in the way it has.

Dr. Rambachan: “Why yuh ent let de man talk?” Present his Bill.

Hon. F. Al-Rawi: We still have the Senate to go.

Madam Speaker, permit me to join in the reflections about the impact of speeds and death. I lost a beautiful loving little brother, a cousin of mine, my first cousin, very much like my brother, to an accident on the highway. He was visiting from France. His father is French, his mother is my mother’s sister. Came for Carnival, driving on the highway and a car came across and killed him in his twenties. I remember getting the news of his death. I have held him as a little boy in my arms, my little cousin, my dear beloved cousin. I remember that vividly, watching this lifeless body in my arms. That was just a couple of years ago.

I have a twin sister. My first year in practice,—you know they say twins have bonds—I remember being ripped out of my sleep one night. It was a Friday night. We had rate utility increase hearings on a Saturday morning so we were working all night Friday and we would sit in court in the rate utility increases on the Saturday. And I remember I was too tired to drive back to San Fernando, I spent the night by my uncle’s home. And at two o’clock in the morning, I jumped out of my sleep. Fifteen minutes later, my uncle enters the room and says—I said what happened to her? He did not even have to tell me.

When I passed down the highway on my way to the San Fernando General Hospital and I saw the carnage of the car that my sister was in, she had actually—thank God she is alive and well after 13 reconstructive surgeries. But I remember having to give her blood that night, three pints straight. I have O negative blood, there was no other blood donor and I had to give it and I remember collapsing off of the blood transfusion. But I remember the doctors, that night, intent on amputating both legs because it was so severe an injury. So it is not that these things are lost upon us, this is not publicity, this is not something which is heartfelt and all of us have not experienced. These are things which anchor into your soul which is why we are so adamant on taking powerful but simple techniques to advance the reform of the culture of Trinidad and Tobago

And I am very, very pleased that hon. Members today have joined in a chorus of support for this measure. It is refreshing to come to a Parliament and to do work this way. I accept that we have two sword-length distance and we will have our disputes, et cetera. I am not in any way in a difficulty with the cut and thrust of politics *c'est la vie*. But on today's occasion, Madam Speaker, with the ability to actually perform good work for Trinidad and Tobago, I ask hon. Members for their full support which has already been expressed and I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Madam Chairman: Okay, Members, I do not think we have notice of any amendments, so can we do all the clauses together?

Mr. Al-Rawi: Madam Chairman, the technocratic team has raised a very simple but necessary adjustment to the Bill and so if it should please you, there is one small adjustment to be made to the Bill which I will happily explain if you permit me.

Madam Chairman: Could we call the clauses then one by one?

Mr. Al-Rawi: Should it please you, Ma'am. Yes.

Clause 1 ordered to stand part of the Bill.

Clause 2.

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

Mr. Al-Rawi: Madam Chair, should it please you? At clause 2(b)(v), there is the recommendation in the Bill that we treat with 65 moving to 100. This applies mistakenly to the case of motor vehicles with a trailer and that should not be the case. So we are proposing that roman (v) be deleted so that any motor vehicle which has a strapped-on trailer to it should, in fact, continue to move at that slower speed because of the design parameters. And then we renumber roman (vi) to roman (v) which is a consequential amendment which we do not actually have to say. Yeah? [*Crosstalk*]

Madam Chairman: The question is that clause 2 be amended as follows:

To delete 2(b)(v) and to renumber clause 2(b)(vi) as clause 2(b)(v).

Question put and agreed to.

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

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

House resumed.

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

ADJOURNMENT

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, I beg to move that this House do now adjourn to the 24th of November, next week Friday, at 1.30 p.m. Well, that is Private Members' Day.

Madam Speaker: Hon. Members, I just wish to advise that the Motion on the adjournment has been withdrawn.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.15 p.m.