



REPUBLIC OF TRINIDAD AND TOBAGO

# Debates of the House of Representatives

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4th Session – 10th Parliament (Rep.) – Volume 23 – Number 20

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**OFFICIAL REPORT  
(HANSARD)**

THE HONOURABLE WADE MARK  
SPEAKER

THE HONOURABLE NELA KHAN  
DEPUTY SPEAKER

**Friday 21st February, 2014**

**CLERK OF THE HOUSE: JACQUI SAMPSON-MEIGUEL**

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*Leave of Absence*

*Friday, February 21, 2014*

**HOUSE OF REPRESENTATIVES**

*Friday, February 21, 2014*

The House met at 10.00 a.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, I have received communication from Miss Marlene Mc Donald, Member of Parliament for Port of Spain South who has asked to be excused from today's sitting of the House. The leave which the Member seeks is granted.

**PAPERS LAID**

1. Annual Audited Financial Statements of Caribbean New Media Group Limited for the year ended December 31, 2010. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
  2. Annual Audited Financial Statements of Caribbean New Media Group Limited for the year ended December 31, 2011. [*Hon. R. Indarsingh*]
  3. Annual Audited Financial Statements of Metal Industries Company Limited for the financial year ended September 30, 2009. [*Hon. R. Indarsingh*]
  4. Annual Audited Financial Statements of Metal Industries Company Limited for the financial year ended September 30, 2010. [*Hon. R. Indarsingh*]
- Papers 1 to 4 to be referred to the Public Accounts (Enterprises) Committee.*
5. Policy Proposal Document on the Heritage and Stabilisation Fund with suggested amendments to the Heritage and Stabilisation Fund Act, 2007. [*Hon. R. Indarsingh*]

**ORAL ANSWERS TO QUESTIONS**

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** I wish to state that the Government is prepared today to answer questions Nos. 40, 41 and 42, and would ask that question No. 60 be deferred for two weeks.

*The following question stood on the Order Paper in the name of Miss Alicia Hospedales (Arouca/Maloney):*

**Maloney Housing Development  
(Paving of Car Parks)**

**60. Miss Alicia Hospedales (Arouca/Maloney)** asked the hon. Minister of Housing and Urban Development:

Could the hon. Minister of Housing and Urban Development state:

- a) Whether a contract has been awarded for the paving of car parks within the Maloney Housing Development?
- b) If the answer to part (a) is in the affirmative, to whom was the contract awarded?
- c) When will the paving of the car parks commence?

*Question, by leave, deferred.*

**Mr. Speaker:** The hon. Member for Arouca/Maloney.

**Upgrade of Recreation Grounds  
(Arouca/Maloney)**

**40. Miss Alicia Hospedales (Arouca/Maloney)** asked the hon. Minister of Local Government:

Could the Minister state when would the Clayton Ince Recreation Ground, Henry Street Recreation Ground and Bon Air Recreation Ground be upgraded?

**The Minister of Local Government (Sen. The Hon. Marlene Coudray):** Thank you very much, Mr. Speaker. Mr. Speaker, the response received from the Tunapuna/Piarco Regional Corporation states that the Tunapuna/Piarco Regional Corporation has no immediate plans for major upgrade work at those facilities, and those three grounds are under the remit of the Tunapuna/Piarco Regional Corporation.

**Mr. Speaker:** The hon. Member for Arouca/Maloney.

**Tunapuna/Piarco Regional Corporation  
(Garbage Collection Services)**

**41. Miss Alicia Hospedales** (*Arouca/Maloney*) asked the hon. Minister of Local Government:

Could the Minister state:

- a) The names of the contractors/firms who have been providing garbage collection services for the Tunapuna/Piarco Regional Corporation during the period June 2010 to August 2013?
- b) The contract date(s) for each contractor/firm?
- c) The amount paid to each contractor to date?

**The Minister of Local Government (Sen. The Hon. Marlene Coudray):** Mr. Speaker, question No. 41 states:

- a) the names of the contractors/firms who have been providing garbage collection services for the Tunapuna/Piarco Regional Corporation during the period June 2010 to August 2013?

Part b), the contract date(s) for each—*[Interruption]*

**Mr. Hypolite:** Mr. Speaker, with all due respect, I do not think we need to read the questions at this point in time.

**Mr. Speaker:** Yeah, hon. Member, there is no need to read those—just go on to the response.

**Sen. The Hon. M. Coudray:** Okay, sure, sure, Mr. Speaker, thank you.

With respect to the question, I have four tables with respect to the answer to question 41. Table one gives the contractors for the period 2010/2011 and 2011/2012:

Amalgamated Sanitation Company Limited	\$ 6,362,720
BK Holdings Limited	\$ 1,808,352
Bartholomew Transport Company Limited	\$10,892,356
Bridgecon Limited	\$ 3,428,932
D&S Harricharan	\$ 1,074,008
Gopaul & Company Limited	\$ 10,158,824

*Oral Answers to Questions*  
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Saiscon Limited	\$ 1,614,121.60
Waste Disposal (2003) Limited	\$ 831,220
Table two, for the said period, 2010—2012:	
Amalgamated Sanitation Company Limited	\$ 340,860
Critical Engineering Solutions	\$ 1,339,520
Flexible Enterprises Limited	\$ 7,128,160
Ninel Transport and Sewer Services	\$ 1,907,859.20
Sat Sais Company Limited	\$ 10,524,800
St. Helena Enterprises	\$ 10,985,020.80
Table three, and this is for the period as at 2013:	
Amalgamated Sanitation Company Limited	\$ 161,345 plus \$ 3,507,500
Bartholomew Transport Company Limited	\$ 1,268,312 \$ 1,579,778
Bridgecon Limited	\$ 1,044,533.50
Flexible Enterprises Limited	\$ 1,052,250
Gopaul & Company	\$ 3,152,541
Another amount	\$ 8,514,105
Raj Persad Transport Company Limited	\$ 505,080
Sahadeo Magram Contractors Limited	\$ 2,258,830
Sat Sais Company	\$ 2,258,830
St. Helena Enterprises	\$ 1,060,668
St. Helena Enterprises	\$ 1,161,684
M&N Enterprises & General Transport Company	\$ 2,448,235
NEDCOM Limited	\$ 668,883.78
Saicon	\$ 1,049,444



A total cost: table one, \$36,170,533.60; table two, \$32,226,220; table three, \$13,706,608.50; and table four, \$17,765,946.

Mr. Speaker, these are the amounts and these contracts are usually for three-year periods. These said contracts were from the years 2009—2013. I thank you.

**Mr. Speaker:** The hon. Member for Arouca/Maloney.

**Litter Wardens  
(Details of)**

**42. Miss Alicia Hospedales (Arouca/Maloney)** asked the hon. Minister of Local Government:

Could the Minister state:

- a) The number of Litter Wardens that have been hired by the Ministry of Local Government?
- b) The date(s) their employment became effective?
- c) The number of Litter Wardens assigned to each Regional Corporation?
- d) How many Litter Wardens are still working for the Regional Corporation(s) that hired them?
- e) Whether these Litter Wardens identified in part (d) above will continue to work at their designated Regional Corporations?

**The Minister of Local Government (Sen. The Hon. Marlene Coudray):** Mr. Speaker, the number of litter wardens hired by the Ministry of Local Government is 147. The effective dates of appointment of these wardens: 127 were employed from January 29, 2013; 10 were appointed from February 11, 2013; and 10 in December 2013.

The number of litter prevention wardens assigned to each regional corporation is as follows:

Regional Corporations	No. of Litter Wardens Assigned
Port of Spain Corporation	16
San Fernando	11
Arima	7
Point Fortin	3

Chaguanas	14
Diego Martin	10
San Juan/Laventille	15
Tunapuna/Piarco	20
Sangre Grande	6
Couva/Tabaquite/Talparo	16
Siparia	8
Penal/Debe	8
Princes Town	9
Mayaro/Rio Claro	3

There are no litter wardens still working for regional corporations that hired them, so that the response to question 42(e) is not applicable.

Thank you, Mr. Speaker.

#### PERSONAL EXPLANATION

#### Apology by Attorney General

**The Attorney General (Sen. The Hon. Anand Ramlogan SC):** Thank you very much, Mr. Speaker. On the last occasion this House met, on February 14, 2014—that being Valentine’s Day—to debate The Dog Control Amendment Bill, 2014, as I had started to wind up that debate an unfortunate exchange took place between the hon. Member for St. Joseph and myself, which I have since come to regret. What was meant to be a good natured exchange of political picong has caused the hon. Member for St. Joseph and his family some anxiety and distress.

I did in fact, as the *Hansard* will show, immediately apologise for those remarks. [*Desk thumping*] I, in fact, subsequently repeated that apology in the other place earlier this week. But out of respect for this House, and for the avoidance of any doubt, I thought it fit to return here this morning to formally apologise to my colleague and this honourable House for those unfortunate remarks. [*Desk thumping*]

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Permit me, Mr. Speaker, to also take the opportunity to extend my apology to anyone outside of this House who may have felt aggrieved by those statements. I want to assure them that they were not, in fact, within my contemplation at the material time, and that it was not, in fact, my intention to offend anyone. I hope I have made myself crystal clear in this matter.

Thank you. [*Desk thumping*]

**10.15 a.m.**

**HERITAGE AND STABILISATION FUND (AMDT.) BILL, 2014**

Bill to amend the Heritage and Stabilisation Fund, Chap. 70:09 [*The Minister of Finance and the Economy*]; read the first time.

**MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) BILL, 2014**

Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50 [*The Minister of Transport*]; read the first time.

**NURSES AND MIDWIVES REGISTRATION (AMDT.) BILL, 2014**

[Third Day]

*Order read for resuming adjourned debate on question* [February 07, 2014]:

That the Bill be now read a second time.

*Question again proposed.*

**Mr. Speaker:** Hon. Members, as you will recall, at the end of the last sitting of this honourable House, the hon. Minister of Health had begun his winding up and he has 20 minutes of original time remaining. I shall now call on the hon. Minister of Health to continue.

**Hon. Dr. F. Khan:** Thank you, Mr. Speaker. [*Desk thumping*] Mr. Speaker, on the last day while winding up the Nurses and Midwives Registration (Amdt.) Bill, we were speaking about the differences that had occurred where the legislation spoke to the qualifications and experience of the advanced practice nurse. Since that time last week to now, after consultation with the CPC and the members of the legal department of the Ministry of Health, we have decided to include some other amendments to take care of that discrepancy that was found. However, prior to that, I would like to just précis some of the vocalizations that we made the last day.

We started off by saying that the council had 22 members initially, and this amendment would have decreased the council to that of 15 members. I then read

the nursing council's report, October 29, 2013 to the hon. Minister of Health, where it indicated that for council sittings, 2011 and 2012, there was an average attendance of 13 members per se. Sometimes membership of the meetings was 16; some as low as eight; some as low as 11.

Taking that into consideration, and together with the recommendations of the consultant who assisted us, Mr. David Benton, it was found that the number of the council should be reduced from 22 to an acceptable level of 15. In doing so, many of the previous representatives on the council, such as that of the medical board, were taken out, and a new representative from Tobago, as well as an enrolled nursing assistant and a lay person together with an industrial relations consultant were placed in. That would have kept the council at a level that could deal with every single item that it had to.

Also, Mr. Speaker, we spoke about the failure rate of the exams and it came about that approximately 47 per cent of those sitting the nursing exam were not successful in one paper or sometimes half a paper—paper one to paper four. I would like to read into the record something that sums up what we are speaking about and how these amendments came about. The *Newsday* has a letter today, February 21: “Next Generation nurses support for Dr. Khan”. And it goes on to say:

“It is such an exhilarating feeling when the voice of what seems to be insignificant or unimportant individuals are finally heard by someone who can actually affect change.

To this end we, the members of the Next Generation”—of—“Nurses...would like to offer our full support to the”—Government of Trinidad and Tobago—“in”—their—“attempt to change the current Nurses and Midwives Act under which many health care professionals operate...

We would also like to thank”—the Government—“for taking us seriously and bringing back that glimmer of hope that seemed to disappear for far too long. Not only”—have they—“listened to the plight of our members but”—they have—“taken the time to do...research to validate the accusations and stories and is now seeking to affect change for the betterment of the profession and the health care system as a whole.

Our group originated after numerous numbers of aspiring nurses' dreams were suddenly cut short with no reasonable explanation or transparency. Our journey has been a long and tiresome one. We have spoken and stated our

case to a number of authority figures. Our plight began in 2007...

At the beginning, it was just a minor few who were willing to speak up for there was fear of victimisation.

In 2008, we went to a number of individuals and did a lot of research and raised a lot of questions about The Nursing Council—exams—“of Trinidad and Tobago....

...when all seemed lost, we...decided to”—try our luck with this present Government. They—“listened...viewed our research, did research...and most importantly...liaised directly with us and kept us informed every step of the way”—they—“took each complaint and treated it with the same level of urgency as any other.

For such a long journey it truly is a relief to be taken seriously after being rejected and ignored for so long. This amendment is not only for the benefit of the health care professionals but also for the improved execution of health care to all individuals. This amendment would change the field of nursing for the better and allow aspiring nurses to finally do what they love; having the support they deserve and work under the conditions that are comfortable for both health care givers and health care receivers.”

Signed: “President, The Next Generation Group of Nurses”.

**Mr. Indarsingh:** Read back that.

**Hon. Dr. F. Khan:** Once again you see the PNM laughing at a group of individuals who were ostracized [*Crosstalk*] and who, you know, tried to become nurses. Is that the Member for Diego Martin Central laughing at them?

**Hon. Member:** Yes.

**Dr. Browne:** Minister, would you give way?

**Hon. Dr. F. Khan:** Let me just finish. I will give way just now.

Mr. Speaker, I just want to read another letter. This is a letter written to the Minister of Health on July 26, 2012. It is a letter written by the office of the Member of Parliament for Siparia. I will not call names for fear of victimization, but it was a letter of a couple who went to the nursing council and who asked to be registered. This is a letter dated April 27, 2009, from the nursing council to the people who have applied:

“..Your Application for Registration as a General Nurse

The Nursing Council of Trinidad and Tobago has reviewed your transcript of training submitted by the Atlantic Union College, South Lancaster,

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Massachusetts...and found that it did not meet the required criteria for registration as a Nurse.

Council therefore considers you ineligible for registration as a...Nurse..."

That is their right, according to the law. However, once again, September 30, 2009:

"I am directed to inform you"—the same people—"at its...Ordinary Meeting held on September 28, 2009,...after having reviewed a second transcript submitted on your behalf, the decision on April 27...stands."

They then wrote the Ministry of Health to get justice in some form or fashion, where the nursing council could have looked at the matter and dealt with it in a different manner rather than just shutting the doors, as they said in this letter.

This is again from the Chief Nursing Officer, who was a member of the board—sorry, the Ministry's representative on the nursing council. This is written from the Chief Nursing Officer to the applicant:

"The Nursing Council of Trinidad and Tobago has indicated the reasons for the non-acceptance of"—your "application.

(1) Your...clinical hours are"—790—"hours

(2) Your...theoretical hours are"—300—"clock hours.

(3) The sum of these combined clock hours"—of training—"is 1050.

Please be advised that the above stated experiences do not satisfy the requirements for registration..."

And he goes on to say the nursing assistant needs 4,000 hours of contact and so, too, the nurse will need 4,400 at the end of the day.

Mr. Speaker, I read these letters for a reason. Nowhere in these letters from the nursing council or the Chief Nursing Officer—indicated to the applicants who had a desire for nursing, who went abroad and did nursing courses—did it say that you could have remedial courses: "We would look at it in a humane manner since you love nursing and we will find a way to build it up so that you could get registration", or in any form or fashion. Doors were shut and no direction given.

However, our amendments that we are passing in this House today would give such an individual the opportunity to enter the system in a manner so desired and work themselves up to be that of a registered nurse eventually. It will also look at the remedial classes; it will also look at the curricula and training of the nursing council for this type of problem.

I sat in this House last week and I was ridiculed by the Member for Diego Martin Central and the Member for Diego Martin North/East, about one O level and a passion for caring is not enough for nursing. Mr. Speaker, I would like to know how many O levels Florence Nightingale had. Florence Nightingale was the mother of nursing in the world, and it came about by seeing the infections occurring in the soldiers in the wards. Florence Nightingale came from a rich family but decided to assist the then soldiers—brought about a cadre of women to look at the infection rate and decrease the amputation rate at that time, by cleaning infections. They called her “The Lady with the Lamp”, and she walked the talk, not having one O’ level but a passion for caring.

Mr. Speaker, sometimes people are born in certain areas—let us say, somebody in Matelot whose parents do not have the money to send them to a proper school to continue their education but they have this passion for caring—five O levels is not equivalent to caring, and sitting in this House on Friday and being ridiculed because I decided, when I became Minister, to give those individuals a chance of becoming a nurse—I indicated that the aides to nursing was not a registered nurse programme. I said if you have one O level, or even no O level, but you have the passion for caring, you want to care for people—[*Desk thumping*]

How can I set about a plan to develop that, and also at the same time give them an opportunity to move up in a stream? So when I said one O level and a passion for caring, you could eventually become a nurse, I still believe it because if somebody did not have the opportunity to go to O levels, or proper schooling, however they have the know-how and the knowledge to be developed at this time, I think it should still happen, because we heard the cries of the nurses when I went in as the Minister. What the nurses were saying, there are shortages of nurses; they cannot take care of a patient in the manner that they so desire because they have to make up beds; they have to clean the patient off; they have to fix this; they have to fix that, so at the end of the day the patient suffers. When you have one or two nurses to a ward of 30, you need assistance.

So what is the better way to do it, Mr. Speaker? Not start a programme that will give these nurses the assistance and at the same time, balance it with people who care about doing it and who want to advance eventually? So I will give you the plan.

The aides to nursing—and we toyed around with different names to make sure that we could get a category of nurse to pay—somebody to pay. aides to nursing says exactly what it means: Aides to nursing. They are the ones who would be

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brought into the system after interview and that—a couple cohorts now later—Cabinet was good to me and passed it. Although we had the Ministry of Science and Tertiary Education (MSTE) doing actual nursing, we had to have this cadre of nurses to deal with it.

So to sit here and be ridiculed, I think is a bit unfair. These aides to nursing came into the system and were given an eight-week training course of how the system works, and develop the system, and they were then put under the supervision of the senior nurses on the ward, to give them directives, what could be done at the level of cleaning the beds, not even touching the patients: making up the beds, making sure the toilets are okay, making sure that their food is, you know, given on time; serving the patients.

Now, I see nothing wrong with that. I mean, the Members for Diego Martin Central and Diego Martin North/East do and I find that is unfair.

**10.30 a.m.**

What we have been working with, Mr. Speaker—with the Minister of Tertiary Education and Skills Training, and GHRS; what I am developing is a module, an online module to train those individuals so they could have training sessions together with classroom sessions while they get their practical sessions, and write an exam—which is going to be difficult enough—to move up to what they call the Patient Care Assistant (PCA).

The Patient Care Assistant, I think they have two O levels or three O levels—two O levels to move forward. Those Patient Care Assistants rather than going into an O level/A level stream will have to be trained by the same online system and directives, what we desire in nursing to become the enrolled nursing assistant which has three O levels to enter that area. And the enrolled nursing assistant, Mr. Speaker, I am hoping that will be able to be given training with whatever deficiencies that they have academically, to eventually one day to go into the RN Programme—the Registered Nursing Programme. So it is what they call many streams to one direction.

When one scoffs one O level and a passion for nursing, ha, ha, ha, ha, ha, I think you should take that in—I do not want to be rude, but that is unfair. It is unfair to the people who are trying to become nurses and are given a chance, and I intend to continue giving them that chance, together with the help of the Minister of Tertiary Education and Skills Training. [*Desk thumping*] In doing that, Mr. Speaker, we looked at training abroad.



If somebody is trained abroad, the legislation as it is stands for certain things, 16(2), (3), (4), and (5), however, sometimes you find that they apply to enter the programme—and there have been horror stories from different schools of nursing and countries where they would apply to the nursing council, six months, a year or some time pass and no answer, and then eventually get an answer, “you cannot be registered”. This is why we placed in the amendment that any international nursing body as recognized by the Accreditation Council of Trinidad and Tobago, once you have passed that exam you are entitled to be registered.

So, Mr. Speaker, we are moving at the different levels of attack in bringing the nursing fraternity up to, not only a high number of nurses in the system, but different levels of nurses as well as decrease in the shortages. Long ago, Mr. Speaker, you found that there was something called the pinky, the ones in blue, different colours—that was the nursing programme—and they entered the system. This is what the amendments are seeking to do.

The advanced practice nurse, Mr. Speaker: When we speak about an advanced practice nurse, we speak about a nurse who has already been trained as a RN, registered nurse, has gone on in the United States and in England to have either done the masters in nursing or some people the PhD in specialized nursing. So you have a group of nurses who have gone on to further training, masters and PhD, doctorate in nursing. We have now started the BSc in nursing here and we hope to continue as the MSc, et cetera.

In doing that, the advanced practice nurse called the nurse practitioner in the United States of America started off in 1965 by a doctor called Dr. Silver and his nurse. What they have found in the rural areas, there were no doctors going to the rural areas because they did not want to go there and, also, the health centres for want of a better word, the health systems were not opening long hours, long enough to take care of people in the mines, et cetera, because nobody wanted to work after hours, no doctor, and they came about with a training programme of the nurse practitioner—which is now the advanced practitioners as we call them—and they developed it in such a manner where these nurses could do two things:

1. advance the training;
2. examine patients and prescribe medication under the supervision of a doctor if necessary.

Some people in the outback of Australia can do it on their own because there are no doctors there and there is no health care system reaching out to the rural areas and the aborigines of Australia.

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This came about, Mr. Speaker, because of shortages of medical personnel. We have shortages of medical personnel. One, we cannot find medical personnel in some areas to man our health centres after four or on weekends in some forms. The only ones we do find are those in the main centres, the main emergency centres. We are hoping to put in legislation the requirements which are the scope of practice and qualifications of the advanced practice nurse. In the parent Act, it will be placed in the regulations, but to be only changed by negative resolution because we do not want to debate every time you come here.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Minister of Health has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Hon. Dr. T. Gopeesingh*]

*Question put and agreed to.*

**Mr. Speaker:** You may continue, hon. Minister.

**Hon. Dr. F. Khan:** Than you, Mr. Speaker.

**Mr. Imbert:** Would the Minister give way? I thank the Minister for giving way. Could the Minister make it crystal clear whether the criteria for the registration of advanced practice nurses and the conditions under which they will practice will be incorporated into the parent Act rather than being put in regulations which would be subject to negative resolution, would not be subject to debate and could easily be changed by another administration?

**Hon. Dr. F. Khan:** Thank you very much. Mr. Speaker, after discussion with the Ministry of Health legal team and others, it was thought that the regulations would define the scope of practice and also the qualifications. Put it in the parent Act that the scope of practice could only be changed by negative resolution. If you had done affirmative resolution, every time it came to be changed it will have a debate—anything to have debate. The parent Act as it is, most of the regulations are by order, negative resolution, so we kept that line. However, in negative resolution, if somebody wants to debate what is there, one could do it after giving a notice of 21 days. So it still has that ability to debate. Once it is laid on the Parliament table, the regulations can be—[*Interruption*]

**Mr. Imbert:** So it is not in the Act.

**Hon. Dr. F. Khan:** It is in the Act, negative resolution.

**Mr. Imbert:** So it is in the parent Act?

**Hon. Dr. F. Khan:** In the parent Act. It is. Check your amendments. It is the last part,—clause 24 of the amendment, but it speaks to section 41. Okay. Look at clause 24 of the new amendments, it is there.

**Mr. Imbert:** Negative resolution?

**Hon. Dr. F. Khan:** Negative resolution.

**Mr. Imbert:** You do not want—[*Inaudible*]

**Hon. Dr. F. Khan:** No. Once it is on the table, you could get a debate within 21 days.

**Mr. Imbert:** Would you give way?

**Hon. Dr. F. Khan:** Sure.

**Mr. Imbert:** Just for the information of the Minister—I thank the Minister for giving way, again. The way a negative resolution works is that from the time it is published it becomes law, and it is removed from the legislation if a Motion is successfully passed to negative the Motion and, therefore, once you make it by negative resolution it will immediately become the requirements. I am not aware of a single instance in the last 22 years when regulations were changed by negative resolution. Not once!

**Hon. Dr. F. Khan:** Thank you, Member. What we will have to do, we will look at it, but in the actual parent Act all the regulations are done in that manner.

**Mr. Imbert:** That is not correct.

**Hon. Dr. F. Khan:** So we decided to just follow precedence.

Okay. Mr. Speaker, going into the advanced practice nurse, the advanced practice nurse, the scope of practice and the requirements to become an advanced practice nurse have been discussed at length in most States in the United States of America which was where it started. While doing the research, I have found that most of those scope of practice and the requirements to become an advanced practice nurse, are written in the regulations more so than the actual legislation. There are specific legislation in some States where the nursing body is being asked to lobby for legislation to be done. However, there are rules and regulations set by both the State and the actual nursing council for the requirements and prescribing in the qualification, et cetera, of the nurses. Clause 24 of the amendment says:

“The Act is amended in section 41(2)—

- (a) by inserting after paragraph (a),...
- (aa) prescribing the conditions under which persons may be registered as advanced practice nurses;
- (b) by inserting after paragraph (b)...
- (ba) prescribing the standards for continuous education and training of advanced practice nurses, nurses and midwives;”

It also goes on to speak about the new amendment where:

- “(4) The Minister may by Regulations prescribe, the qualifications and experience required and the scope of practice for the advanced practice nurses.
- (5) Regulations made under subsection (4), shall be subject to the negative resolution of Parliament.”

These are the two amendments that will be placed on the table, Mr. Speaker.

The advanced practice nurse will take the slack off—and also we have to determine together with the nursing council, and also the Medical Board of Trinidad and Tobago and the medical council whether we have to place these practice nurses initially under the supervision of a medical practitioner. I will tell you why. An advanced practice nurse, once they are touching patients and prescribing will have to be subjected to professional indemnity, and if you are subjected to professional indemnity—that means medical protection, medico legal indemnity—one has to look at the costing. For a normal doctor, low risked, it is approximately \$15,000, I think, a year. For a urologist which is considered high risked, it is approximately \$35,000 to \$40,000 a year, and for obstetricians is neurosurgeons, orthopedics it is close to \$120,000.

**Dr. Gopeesingh:** One hundred and fifty now.

**Hon. Dr. F. Khan:** One hundred and fifty now. Thanks to the Member for Caroni East. One hundred and fifty thousand for medical indemnity. Right now as we speak, under the public service, the Ministry of Health and the Attorney General, they are the ones who take up the liability for all doctors, nurses and, as you say, professionals in the Ministries—the RHAs, and the Attorney General determines exactly the nature of the legal approach.

Once these advanced practice nurses stay in the public system, well then they will be under that protection of the Government. Once they move out—in certain States, in Alaska and different parts of the United States, they have moved out and professional indemnity has become a serious problem, Mr. Speaker.

One more thing I would like to deal with. We already know about the advanced practice nurses, midwives, et cetera. In the last Act, Mr. Speaker, there was nothing to define the functions and power of the council. We have put, on the advice and recommendation of Mr. David Benton, the functions of the council as well as the powers of the council. Functions such as dealing with the registration, et cetera, opening the registration, determining in collaboration with the Minister, the qualifications necessary for registration, promoting the interest of the nursing profession.

In our discussions with the nursing council, Mr. Speaker, we have given the opportunity to the nursing council to develop the curricula, the requirements and the standards for nursing practice in this country. They will work together with the Accreditation Council of Trinidad and Tobago and develop the specific curricula for every single nursing programme in this country, and it is their duty to monitor them and regulate them.

**10.45 a.m.**

There is one other amendment, Mr. Speaker, which we placed on the record for clarification, as the Member for Parliament for Diego Martin Central indicated—[*Interruption*]

[*Member's cell phone rings loudly*]

**Mr. Speaker:** Hon. Member.

**Hon. Dr. F. Khan:** Sure.

**Mr. Speaker:** This is the third time in about an hour phones have gone off in this Chamber. I wish to remind hon. Members, kindly place your phones on silent. Place your phones on silent. Continue, hon. Member for Barataria/San Juan.

**Hon. Dr. F. Khan:** Mr. Speaker, I just want to make one correction on the amendment. Clause 12—I would like everybody to make the correction—where it says amending section 16, it said that:

- (a) by repealing subsection (2) and substituting the following subsections:
  - (2) Any person who has—
    - (a) completed a course of training –
      - (i) in a recognized place of training under section 40; or
      - (ii) approved by the Accreditation Council of Trinidad and Tobago under the Accreditation Act; and...

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I want to make sure that everybody understands “and”.

- (b) passed the examination prescribed by the Council or any other nursing examining body recognized by the Accreditation Council...”

So it is there, so I made sure that we have put that in, so I want to put it on the record that it is there. [*Desk thumping*]

**Hon. Member:** “And”.

**Hon. Dr. F. Khan:** “And”.

The other thing I would like to place on the record, Mr. Speaker, clause 13 of the amendments, it was a bit nebulous. That clause 13A:

“Delete the proposed subsection (6) and replace with the following subsection:

- ‘(6) A nurse intern who holds a provisional certificate may, during the life of the provisional certificate, attempt a licensing examination as many times as necessary until he is successful.’”

The previous amendment spoke to a minimum of three times. It gives it that even after you passed, you had to keep going, but with this amendment, somebody who is a nurse intern for a provisional certificate of three years can keep writing the exam as many times as necessary to become successful over that period of time. However, they must start the exam within a minimum of 15 months so it would not lead to complacency. [*Crosstalk*] Sure.

**Mr. Deyalsingh:** Thank you, hon. Member, for giving way. Member, just to go back to the advanced practice nurse, the amendment that you proposed, we would really like to suggest that we move from negative resolution to positive affirmation and I will tell you why. If we do that, by negative resolution, the regulations, qualification and experience become entrenched as soon as it is laid. As the Member for Diego Martin North/East said, it is difficult to overturn that, but if we just change this part to positive, it means that we will only be debating that part, section 4, which deals with qualifications and experience of the advanced practice nurse. So we are asking you to reconsider just for that part alone to go to affirmative.

**Hon. Dr. F. Khan:** Member for St. Joseph, we had a lot of debate on it and we looked at it on all different forms, and what we found is that the Act as it is—the parent Act, does not speak to any affirmative resolution. It speaks to the order

of the Minister, not even negative resolution. I have placed it by negative resolution so in case there is a discrepancy, it can be debated in the House and aired.

However, one has to be cognizant of the fact that the nursing council will be the ones advising and setting the advanced practice nurse qualifications, scope of practice, et cetera, and the requirements. Somebody cannot be registered as an advanced practice nurse if the nursing council is not satisfied that they are. You follow what I am saying? So we still open the door for a debate, if necessary, if somebody decides to change it. But if some Minister or government decides to change it, the nursing council is the checks and balances. They determine what the curriculum will be, what the qualifications are and, also, the ones to register. That is the power of the council when you look at it here—power of the council. They could not register somebody if they are not happy with what is occurring, so it is not just a matter of a Minister making a *carte blanche* move.

**Mr. Imbert:** Would the Minister give way?

**Hon. Dr. F. Khan:** Sure.

**Mr. Imbert:** I thank the Minister again for giving way. The fact of the matter is that the advanced practice nurse is a new category who would be equivalent to a general practitioner in certain circumstances. Once you make this subject to affirmative resolution, we can have the whole issue of the qualifications of these people, and the conditions under which they will practise, ventilated on the floor in the open Parliament and amendments can be made if deemed to be appropriate. However, if you make it subject to negative resolution, the only thing a Member of Parliament can do is to move a motion for it to be negated, not for it to be amended. In other words, the Parliament would have no opportunity whatsoever to advise or to discuss amendments to the proposed qualifications and conditions. All we could say is let the whole thing be rejected rather than enhancements or amendments to certain components of it, and that is why the affirmative resolution is so much better than the negative resolution. Because you would bring your regulations, we would have a full discussion, you might see the wisdom of the points we are making, you may make amendments on the floor and, therefore, it is not the Minister—you see, you say that the council will do, but that is not what the law says. The law says the Minister may by regulations; it is really the Minister doing it. You may seek advice, you may take advice or not as you see fit.

It is much better to make this one—remember this is just this one alone, “eh”, it is not all the other regulations, much better to make this one affirmative

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resolution. You still have your majority, you can still pass them so you can still have your way as it were, but it is far better to have it fully ventilated on the floor to affirmative rather than negative where the only thing we can do is ask you to scrap the whole thing, not just amend certain components of it.

**Hon. Dr. F. Khan:** Member for Diego Martin North/East, I hear you and we will be giving it consideration. Okay?

**Mr. Imbert:** Thank you. Okay, and if so, we will vote for it. [*Crosstalk*] No, serious, I am telling you.

**Hon. Dr. F. Khan:** No, let me give it consideration and discussion.

**Mr. Imbert:** That is the only problem with that.

**Hon. Dr. F. Khan:** Mr. Speaker, one last point where we spoke about the clause 29 indicates that the Act is amended by inserting after section 51:

“51A. Where a national emergency exists, the Minister may, by Order, permit a person who is registered to practise nursing or midwifery under the laws of his governing country, to practise nursing or midwifery for the period specified in the Order, for the purpose of providing specific skills and technology, and such person shall be deemed to be practising as if a licence had been issued under this Act.”

Section 51B says:

“Visiting nursing personnel.

The Minister may, by Order, permit nursing personnel who are registered to practise nursing or midwifery under the laws of their governing country as part of a visiting planned education or teaching programme or medical visiting treatment team, for the purpose of providing specific skills and technology and such persons shall be deemed to be practising as if a licence had been issued under this Act.”

Mr. Speaker, this is a recommendation of the consultant. It was in the draft Bill of 2009, so it is a matter of just—in today’s world where there are numerous natural disasters, one has to protect those health care professionals who are entering the country itself, and since the world has become a global village, so too litigation has become a global attack, and protection of those medical personnel, health care personnel who come to the country to deliver help and assistance from international bodies need to be protected from litigation, if necessary, where it could occur as a result of someone bringing an act of litigation on such a person



as if they were not registered and should not be treating people in the country of the disaster. So it takes care of that. Also, the consultant has indicated that this is a forward step, and as a result of it, we placed it in the amendments to the Act. The consultant indicated that continuing medical education for nurses should be mandatory, but we have left that up to the nursing council to deal with that in their regulations and monitoring exercises.

So, Mr. Speaker, looking at the journey that has taken place over the last five to seven years by the group of nurses who lobbied to get this amendment moved forward based on certain problems that occurred in the results of examinations, and looking at the whole nursing structure as we looked at it, the Nurses and Midwives Act came into being in 1961, which is quite a long time ago, and it was due for amendments and due for modernization together with the advanced practice nurse, et cetera.

Mr. Speaker, I thank all the Members who have contributed to this Bill because it is an innovative Bill, it is an innovative movement for nursing in this country. I thank those who lobbied to get it changed, those who were in the Parliament. I thank the nursing council for having discussions with the groups, TTRNA and their members, and I thank the legal people from the CPC as well as the Ministry of Health.

With those few words, Mr. Speaker, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*

*House in committee.*

**11.00 a.m.**

**Mr. Chairman:** I propose to deal with several of these clauses in batches or groups, unless we have an amendment, as we do, we will pause, but thereafter we go back into groups or batches. So we will go with clauses 1 to 4 to start with and then pause when we come to 5 because we have an amendment there. Okay? Let us go.

*Clauses 1 to 4 ordered to stand part of the Bill.*

*Clause 5.*

*Question proposed:* That clause 5 stand part of the Bill.

**Dr. Khan:** Mr. Chairman, I beg to move that clause 5 be amended as follows:

A. Insert after the definition “nursing personnel” the following:

“‘registered nurse’ means a person who is registered as a nurse under section 17.”

B. Delete the definition of “Regional Nursing Body”.

**Mr. Deyalsingh:** Mr. Chairman, please, may I, on clause 5?

**Mr. Chairman:** Yes.

**Mr. Deyalsingh:** The issue of Advanced Practice Nurse, we just want to place on record that we would like the Minister to consider our proposal, that the qualifications, terms and experience be placed on affirmative resolution. [Interruption] We would love to do that; we would love to support you on that— [Interruption]

**Mr. Chairman:** We have not reached that point.

**Mr. Sharma:** Pay attention.

*Question put and agreed to.*

*Clause 5, as amended, ordered to stand part of the Bill.*

*Clauses 6 to 11 ordered to stand part of the Bill.*

*Clause 12.*

*Question proposed:* That clause 12 stand part of the Bill.

**Dr. Khan:** Mr. Chairman, I beg to move that clause 12 be amended by deleting clause 12 and inserting the following:

- “Section 16 amended      12. Section 16 of the Act is amended —
- (a) by repealing subsection (2) and substituting the following subsections:
- “(2) Any person who has —
- (a) Completed a course of training —
- (i) in a recognized place of training under section 40; or
- (ii) approved by the Accreditation Council of Trinidad and Tobago under the Accreditation Act; and

(b) passed the examination prescribed by the Council or any other nursing examining body recognized by the Accreditation Council,

and who establishes to the Council's satisfaction that he is a fit and proper person to be entered on the register as a nurse, shall on making application to the Council and upon compliance with the requirements of this Act, be entitled to be registered.

(2A) Where the Council receives an application under subsection (1) it shall, within six months of such receipt consider the application and give such directions in respect of the application as it thinks fit.

(2B) Where six months have elapsed since an application was received, and the Council has not considered the application under this section, an affected applicant may file a complaint with the Permanent Secretary in the Ministry with responsibility for health.

(2C) The Permanent Secretary under subsection (2B) shall refer the matter to the Chief Nursing Officer in the Ministry with responsibility for health for investigation.

(2D) Upon receipt of the report from the Chief Nursing Officer on the matter, the Permanent Secretary shall forward the report to the Council requesting that action be taken on the complaint within a reasonable time.”; and

(b) by inserting after subsection (6), the following subsection:

(7) In determining if a person is a fit and proper person under this section, the

Council shall consider if he-

- (a) is of good character;
- (b) is mentally and physically capable of performing satisfactorily, the duties of a nurse; and
- (c) has the ability to understand, read and speak English.”

**Mr. Deyalsingh:** Mr. Chairman, I do apologize—[*Interruption*]

**Mr. Chairman:** You have—[*Interruption*]

**Mr. Deyalsingh:** Clause 11.

**Mr. Chairman:** No, no, you want to reopen—listen!—let me just make it very clear. The Standing Orders are very clear—if any Member of this Honourable House wishes to make an amendment, place it in writing, send it to the Clerk, so we can have access to it. This question about making amendments on the floor, arbitrarily, that can be done but let us not make it a practice because we will be violating the Standing Orders. And then we have just closed these amendments, or these clauses and the hon. Member is asking us to reopen them. Let us not go there but just in an effort to avoid any doubt and to allow the Member to clarify, with the leave of the House I shall reopen the clause 11.

*Clause 12 deferred.*

*Clause 11 recommitted*

*Question again proposed:* That Clause 11 stand part of the Bill.

**Mr. Deyalsingh:** I thank you, Chairman. It just goes back to the issue of advanced practice nurse, which is mentioned again in clause 11.

**Mr. Chairman:** May I advise that the crucial question to that, or the answer, I should say, to that question, would come as we deal with clause 24 because both the hon. Member for Diego Martin North/East and your good self made mention of the affirmative instead of the negative. And that will deal with the many questions dealing with the issue that you have raised. Okay?

*Question put and agreed to.*

*Clause 11 ordered to stand part of the Bill.*

*Clause 12 reintroduced.*

**Mr. Chairman:** So let us continue with clause 12.

**Dr. Gopeesingh:** Chair, Chair, just one little grammatical error that we will need to correct ourselves—in (2A).

**Dr. Khan:** Yes, that will be done.

**Mr. Chairman:** That is an editorial. We will deal with that.

*Question put and agreed to.*

*Clause 12, as amended, ordered to stand part of the Bill.*

*Clause 13.*

*Question proposed:* That clause 13 stand part of the Bill.

**Dr. Khan:** Mr. Chairman, I beg to move that clause 13 be amended, as follows:

- A. Delete the proposed subsection (6) and replace with the following subsection:

“(6) A nurse intern who holds a provisional certificate may, during the life of the provisional certificate, attempt a licensing examination as many times as necessary until he is successful.”

- B. In the proposed subsection (10), delete the words “For the avoidance of doubt, a” and substitute the word “A”.

- C. Insert after the proposed subsection (10), the following new subsections-

“(11) Where the Council receives an application for a provisional certificate, it shall within six months of such receipt consider the application and give such directions in respect of the application as it thinks fit.

(12) Where six months have elapsed since an application was received, and the Council has not considered the application under this section, an affected applicant may file a complaint with the Permanent Secretary in the Ministry with responsibility for health.

(13) The Permanent Secretary under subsection (12) shall refer the matter to the Chief Nursing Officer in the Ministry with responsibility for health for investigation.

(14) Upon receipt of the report from the Chief Nursing Officer on the matter, the Permanent Secretary shall forward the report to the Council requesting that action be taken on the complaint within a reasonable time.”

*Question put and agreed to.*

*Clause 13, as amended, ordered to stand part of the Bill.*

*Clauses 14 and 15 ordered to stand part of the Bill.*

*Clause 16.*

*Question proposed:* That clause 16 stand part of the Bill.

**Dr. Khan:** Mr. Chairman, I beg to move that clause 16 be amended as follows:

- A. Delete the words “subsections (2) and (3)” and replace with the words “subsection (2)”.
- B. Delete proposed subsection (2) and replace with the following subsections:

“ (2) Any person who has-

(a) completed a course of training —

(i) in a recognized place of training under section 40; or

(ii) approved by the Accreditation Council of Trinidad and Tobago under the Accreditation Act; and

(b) passed the examination prescribed by the Council or any other nursing examining body recognized by the Accreditation Council,

and who establishes to the Council’s satisfaction that he is a fit and proper person to be entered on the register as a nurse shall, on making an application to the Council and upon compliance with the requirements of this Act, be entitled to be registered.

(2A) In determining if a person is a fit and proper person, under subsection (2), the Council shall consider if he –

(a) is of good character;

(b) is mentally and physically capable of performing satisfactorily the duties of a nurse; and

(c) has the ability of a person to understand, read and speak English.”

C. Insert after subsection (3) the following new subsections:

“(4) Where the Council receives an application for a licence, it shall within six months of such receipt consider the application and give such directions in respect of the application as the Council thinks fit.

(5) Where six months have elapsed since an application was received, and the Council has not considered the application under this section, an affected applicant may file a complaint with the Permanent Secretary in the Ministry of Health.

(6) The Permanent Secretary under subsection (5) shall refer the matter to the Chief Nursing Officer in the Ministry of Health for investigation.

(7) Upon receipt of the report from the Chief Nursing Officer on the matter, the Permanent Secretary shall forward the report to the Council requesting that action be taken on the complaint within a reasonable time.”

*Question put and agreed to.*

*Clause 16, as amended, ordered to stand part of the Bill.*

*Clauses 17 to 23 ordered to stand part of the Bill.*

*Clause 24.*

*Question proposed: That clause 24 stand part of the Bill.*

**Dr. Khan:** Mr. Chairman, I beg to move that clause 24 be amended as follows:

A. In paragraph (a)-

- (i) delete the word “paragraphs” and replace with the word “paragraph”;
- (ii) in proposed paragraph (aa) delete the word “,” and replace with the word “.”
- (iii) delete proposed paragraph “(ab)”.

B. Delete paragraph (c) and replace with the following:

“(c) by inserting after subsection (3), the following new subsections:

“(4) The Minister may by Regulations prescribe, the qualifications and experience required and the scope of practice for the advanced practice nurses.

(5) Regulations made under subsection (4), shall be subject to affirmative resolution of Parliament.””

*Question put and agreed to.*

*Clause 24, as amended, ordered to stand part of the Bill.*

*Clauses 25 to 31 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.*

*Question put:* That the Bill be now read the third time.

*The House voted:* Ayes 35

YES

Moonilal, Hon. Dr. R.

Mc Leod, Hon. E.

Sharma, Hon. C.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seepersad-Bachan, Hon. C.

Seemungal, Hon. J.

Khan, Mrs. N.

Cadiz, Hon. S.



*Nurses and Midwives (Amdt.) Bill*

*Friday, February 21, 2014*

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Baker, Hon. Dr. D.

Ramadharsingh, Hon. Dr. G.

De Coteau, Hon. C.

Khan, Hon. Dr. F.

Douglas, Hon. Dr. L.

Samuel, Hon. R.

Indarsingh, Hon. R.

Roopnarine, Hon. S.

Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, C.

Rowley, Dr. K.

Cox, Miss D.

Hypolite, N.

Mc Intosh, Mrs. P.

Imbert, C.

Jeffrey, F.

Deyalsingh, T.

Browne, Dr. A.

Thomas, Mrs. J.

Hospedales, Miss A.

Gopee-Scoon, Mrs. P.

Warner, J.

*Question agreed to.*

*Bill accordingly read the third time and passed.*

**SELECT COMMITTEE REPORT**  
**Standing Orders Committee Report**  
**(Adoption)**

**Mr. Speaker:** The hon. Leader of the House, Minister of Housing and Urban Development.

**The Minister of Housing and Urban Development (Dr. Roodal Moonilal):** Mr. Speaker, I beg to move the following Motions standing in my name:

*Be It Resolved* that the House adopt the First Report of the Standing Orders Committee of the House of Representatives, Fourth Session 2013/2014, Tenth Parliament.

Mr. Speaker, it is my wish to continue this moment of consensus between Government and Opposition Members all as we go into this very important and, might I say, Mr. Speaker, historic moment in the history of our democracy and in the history of the Parliament and in our—in the context, Mr. Speaker, of the evolution of our parliamentary practice and governance, this is indeed an historic moment.

Mr. Speaker, it was in 1961, to the signature of one S. Hochoy, Governor, in 1961, that S. Hochoy signed to bring into force the Standing Orders of the House of Representatives and since 1961 we have waited until 2014 to usher in a new period in our history and to introduce, Mr. Speaker, a full comprehensive overview and a full comprehensive Standing Orders for the Parliament of the Republic of Trinidad and Tobago.

**11.15 a.m.**

Mr. Speaker, we are extremely proud of this moment and I will make the introduction and the landscape to the actual Standing Orders a bit more important for us because, at this time there is so much concentration on the delivery work of government and all governments—bridges, roads, box drains, schools, community centres, housing, et cetera—endeavour their best to deliver social security programmes and so on. And every single government in our Independence history would have tried their very best, notwithstanding challenges and limitations, to deliver.

Mr. Speaker, there is also another side of delivery and it is the delivery of governance, it is the delivery of upgrading and enhancing democratic institutions and building institutions that better represent people, that better defend and protect the rights of citizens of Trinidad and Tobago. It is at these moments that

you remember the building of institutions, notwithstanding its many faults and several pitfalls over the recent past, in particular, the construction of the Integrity Commission infrastructure, the establishment of the Equal Opportunity Commission and, indeed way before that, the establishment of an Industrial Court of Trinidad and Tobago. These are moments in history when Parliaments before us built institutions designed to protect workers and citizens.

Mr. Speaker, the Parliament as the highest body for lawmaking and for representing citizens must also reform itself to present better governance to citizens of Trinidad and Tobago in the way we conduct our business to represent our constituents and, indeed, all the people of Trinidad and Tobago. So, this morning we are participating in a debate, proudly, that enhances the governance of the Parliament and our representative role as Members of Parliament.

Mr. Speaker, not much more, I would like to add on that, except to endorse the point that the more effective the Parliament is in conducting its business for and on behalf of citizens it makes for better governance, for deeper democracy and better representation and we are extremely proud that as a Government and Opposition we have arrived at this juncture. Mr. Speaker, let me repeat that. As a Government and Opposition we have arrived at this juncture. This is something that the Parliament as a whole, both the Government and Opposition, should be equally proud to be here this morning to participate in this debate. [*Desk thumping*]

You see, Mr. Speaker, it took a lot of effort, a lot of time but we are finally here. May I, without any intention of drawing the Office of Speaker of the House into the debate, also express our own congratulations and commendation to the Speaker of the House of Representatives and the Officer of the Speaker of the House of Representatives and all those in the service of the Parliament that have worked tirelessly over the years to ensure that a day like today, you know, that we could reach a day like today, not only the incumbent Speaker today but Speakers of the House of Representatives over the years and over the decades who have done a lot of groundwork to ensure that we are here today, the Clerk of the House and her team.

Mr. Speaker, my friends opposite, on this day, will speak at length, not only on the Standing Orders but on the related matter, the highly connected matter of compensation, which I will not anticipate. It will be the subject of a debate later as well.

The Standing Orders are written rules of procedure, which provide for the conduct of proceedings in the House of Representatives. It provides for

procedures such as the legislative process, the role of the Speaker in the maintenance of order, rules of debate, rules governing the work of committees and other matters affecting the operation of the House. The continuing or “standing nature” of the rules means that they do not lapse at the end of a session or Parliament, rather, they remain in effect until the House itself decides to suspend or vary or change or, indeed, revoke them.

Mr. Speaker, the Standing Orders that currently govern the proceedings of this House were first commissioned by Article 8 of the Trinidad and Tobago Constitution Order in Council in 1961. It was indeed an Order in Council that gave rise to our Standing Orders. [*Crosstalk*] I cannot say which Member of the current Parliament may have been involved in drafting this Order in Council, not the Member for Pointe-a-Pierre.

Each chamber of the Legislature was granted the power to make Standing Orders to regulate its own proceedings. Mr. Speaker, when we became a Republic in 1976, the Constitution of Trinidad and Tobago, Chap. 10:01, provided for the saving of the Standing Orders of the Senate and the House of Representatives and to ensure that they were enforced under the Trinidad and Tobago Constitution.

Since 1961, the Standing Orders have been amended only once, since 1961. On October 27, 2000, the Standing Orders were amended to provide for new procedures to operationalize the departmental joint select committees established under section 66A of the Constitution. Constitutional amendment triggered an amendment to the Standing Orders in the year 2000. However, we are all aware that over time practice has overtaken several Standing Orders and consequently a comprehensive review was long overdue.

Mr. Speaker, the Standing Orders Committee of the House of Representatives is responsible for considering, from time to time, and reporting on all matters relating to the Standing Orders. As mandated by a resolution passed in this House on September 17, 2013, the committee undertook a comprehensive review of the Standing Orders to provide for the regulation of certain procedures, introduce new provisions consistent with current practices, introduce new procedures as may be required by law/statute and facilitate the codification of well-established practices in the House.

Mr. Speaker, the seven Members of the committee appointed on Monday, September 09, 2013 were: Mr. Wade Mark, chairman; Dr. Roodal Moonilal, member; Mr. Colm Imbert, member; Mr. Jairam Seemungal, member; Dr. Delmon Baker, member; Mr. Collin Partap, member; and Miss Marlene McDonald, member.

Mr. Speaker, as a starting point, the committee took note of the extensive work undertaken by the Standing Orders Committee in the Fifth Session, 2006/2007, of the Eighth Parliament. The committee spent considerable time reviewing the report of that committee, which was laid in the House of Representatives on September 12, 2007. Mr. Speaker, our members were of the view that the effort of that earlier committee was commendable and that it was unfortunate that its work came to an abrupt end by the dissolution of the Eighth Parliament in 2007.

With the aid of the researchers attached to the committee's secretariat, members of the committee engaged in a detailed study of the Standing Orders from cover to cover and identified Standing Orders that required amendment. Members considered several submissions and proposals over a three-month period. In their consideration of the Standing Orders, members referred to several documents. We referred to the Constitution of the Republic of Trinidad and Tobago; to the Standing Orders of the House of Representatives of New Zealand; to the Standing Orders of the House of Representatives of Australia; to *Parliamentary Practice and Procedure*, Erskine May, 24<sup>th</sup> Edition; to the Standing Orders of the House of Representatives of Jamaica; the Standing Orders of the National Assembly of the Republic of Kenya; the Standing Orders of the House of Commons of Canada, along with its rules of procedures and the Standing Orders of the Lok Sabha of India.

Mr. Speaker, the committee presented its first report on Friday, December 13, 2013, which is available on the Parliament website at [www.ttparliament.org](http://www.ttparliament.org). This report and the recommendations for the revoking of the existing Standing Orders and the approval of new Standing Orders was approved by the committee at its meeting held on the 9<sup>th</sup> of December, 2013. The report includes, as Appendix II, a comparative table, which, for ease of reference, provides at a glance the changes made to each Standing Order. Appendix III is the proposed comprehensive revised Standing Orders. Mr. Speaker, and this is found in this voluminous report that was laid in the House of Representatives and which Members would have had ample time to study.

Mr. Speaker, the main areas of revision included:

1. The election of a Speaker.

The procedure for the election of a Speaker now provides for various scenarios that may arise during the election of a Speaker and ultimately to avoid a repeat of the 2002 deadlock.

*Standing Orders Committee Report*  
[HON. DR. R. MOONILAL]

*Friday, February 21, 2014*

Mr. Speaker, those of us who participated in that would never forget in our life, the experience of seeking to elect a Speaker when Members of the then Opposition, several of us, brought in, I think suitcases—[*Interruption*]

**Dr. Rowley:** A wheelbarrow.

**Hon. Dr. R. Moonilal:** But it was a suitcase, not a wheelbarrow.

**Dr. Rowley:** Wheelbarrow.

**Hon. Dr. R. Moonilal:** Wheelbarrow is from Landate. That is from Tobago. That is why you remember that. That is why he remembers wheelbarrow. [*Laughter*] But it was a suitcase. They were pulling a suitcase with the CV of Members and on both sides there were 18/18, Mr. Speaker, and as you raised the name of one person you countered and another team raised the name of a next person. It was voted against.

Mr. Speaker, we continued with that process, I believe, for about two days and in the middle of the process, we were told that the Parliament was dissolved while we were actually in the business of electing a Speaker. The Parliament was dissolved on us and in fact one candidate who was rejected, for no fault of his own later went on, I believe, to become Head of State of the Republic.

It was a fascinating time. I remember being on this bus and being taken from the Holiday Inn to the Parliament, 18 Members to vote here. I remember the Member for San Juan/Barataria who, on that day, appeared very cagey and the then Prime Minister thought that he would get his support. It was in fact a very traumatic experience for many of us and it led, of course, to an election soon after.

Mr. Speaker, in those circumstances, where there are more than two nominations, proposed Standing Order 4 states that:

“Should an equality of votes result upon the conclusion of a ballot, the clerk should determine by lot which candidate is to be eliminated.”

Mr. Speaker, the proposed Standing Orders provide a definition for the term “party” as:

a formally constituted political group that contest elections recognized for parliamentary purposes in accordance with these Standing Orders.

Section 49A(5) of the Constitution states that:

“Standing Orders shall make provision for the identification and recognition of the leader in the House of Representatives of every party...”

The proposed Standing Order 9 was included to fulfil this constitutional requirement. Over the years, we have also had this challenge. I think, in the late 1970s, as well, when this issue came up of the recognition of a leader of a party and in fact the identification of a political party.

Whereas it is common that in Westminster Parliaments you would have two political parties generally, particularly in smaller democracies, in several areas of the globe—Commonwealth jurisdictions—it is also common to have a multiplicity of parties. And with the fluidity of politics in some areas, these leaders could be changing every week, every month, every year; it depends.

Mr. Speaker, as you know, our friend from Diego Martin West is currently the leader of the team but one never knows what happens as May comes around. I want to tell my friend from Diego Martin West, when he reaches the stage where the Member for Oropouche East is his only friend, he reach.” And he may well look on this side for his friends, as opposed to looking on his side. So all I am saying is that you will discover that your friends are opposite and not—  
[*Interruption*] Mr. Speaker, this is not the forum but we will speak on that.

As we said, the proposed Standing Order 9 was included to fulfil the requirement of the Constitution.

**11.30 a.m.**

Standing Order 9 states that, Mr. Speaker, I quote:

- “(i) The Speaker shall recognize a party for parliamentary purposes, if such party:
- (a) is registered as a party by the Elections and Boundaries Commission; and/or
  - (b) has at least one Member elected to the House of Representatives.”

My friend from Chaguanas West will also be identified by the Standing Orders clearly as a leader of a political party, as opposed to just a Member of Parliament. He would be identified as a leader of a political party, notwithstanding the one—  
[*Interruption*]

**Hon. Member:** Interim.

**Hon. Dr. R. Moonilal:** No, they have—I think they have had an election already. It goes on to state that:

- “(2) For the purpose of Section 49A(5) of the Constitution the Speaker shall recognize as Leader of a party in the House of Representatives the person who commands the support of the greatest number of Members of such party in the House.”

Mr. Speaker, the Standing Orders also provide for a fixed recess. The proposed Standing Order 14 provides for a fixed recess period:

“...from the first week in the month of July to the first week in the month of September in any year.” [*Desk thumping*]

“This new provision is consistent with practices...in other jurisdictions. It seeks to ensure that, unless an emergency arises, the House is guaranteed at least an eight (8) week”—at least an eight-week recess.

This is especially important for Members and for staff of Members and the Parliament, to be able to plan their vacation, their time off, and other business that they may be involved in. Additionally, any maintenance work to the Parliament facilities and equipment can be carried out during this period.

Mr. Speaker, may I make the point, without getting into another debate, that over the decades, we have come to understand that a Member of Parliament is also in his or her own way a manager of an office of the Member of Parliament. There was a time when a Member of Parliament would be a one-man operation, and generally one man; a one-man operation. “You come” for half day in the Parliament, you have no office, you meet people under your house, “yuh put two bench under yuh house for people to sit down, ah peera under de house. De people sit dong, you meet two or three folks on a Saturday morning” and, Mr. Speaker, that was generally a Member of Parliament. “You ride ah bicycle around de constituency to see anyting happenin.” So that was a Member of Parliament a generation ago, and they did well, given the circumstances.

Today, Members of Parliament are facilitated with offices, with IT support and with staff. Mr. Speaker, it is important that we plan our parliamentary agenda, so members of staff who themselves are generally young professional people, will also have the opportunity for their own vacation, family time away from the grind of parliamentary business, Mr. Speaker.

Mr. Speaker, broadcasting, an opportunity to respond is also another area of reform. Another new provision is broadcasting and the opportunity to reform. This provision now codifies the right of the Parliament to broadcast its proceedings. Therefore, the right of the Parliament to broadcast is now firmly planted in law, thereby giving it absolute protection; the right to broadcast. [*Desk thumping*] That is very important.

**Dr. Gopeesingh:** Remind them of your—[*Inaudible*]



**Hon. Dr. R. Moonilal:** But I have to remind them. The Member for Caroni East has jolted my memory. Mr. Speaker, it was when in an earlier Parliament, I was Chairman of the Public Accounts Committee, and one morning when the Opposition and the Independent Members found themselves in the unusual position of having a majority. I took a Motion to carry the business of the Public Accounts Committee live on TV and radio, to broadcast live. Mr. Speaker, when the Government Members returned to that Committee, they wanted to throw me out of the Parliament, and threatened to take me before the privileges committee, to withhold my wages.

Mr. Speaker, they threatened at that time to cart me away to Woodford Square on the bandstand, and make an example of me. It was my friend from Diego Martin North/East. I do not know why I say my friend—but who generated that public comment that they were threatening to throw me out of the Parliament, because I used the opportunity as Chairman, to carry the proceedings of the Public Accounts Committee live to the citizens. [*Desk thumping*] Mr. Speaker, because of that—[*Interruption*]

**Mr. Imbert:** Mr. Speaker, Standing Order 36(5). I was not a Member of that Committee. Why is he imputing improper motives to me? Please apologize. [*Crosstalk*]

**Hon. Dr. R. Moonilal:** Mr. Speaker, the Member was Leader of Government Business in the Parliament and made comments in that capacity.

**Mr. Imbert:** Mr. Speaker, Standing Order 36(5). I never asked for him to be flogged in the square. [*Laughter*] I would like for him to apologize.

**Hon. Dr. R. Moonilal:** Mr. Speaker, the Member for Diego Martin West introduced that. So I think you should direct that to the Member for Diego Martin West.

**Mr. Imbert:** No, no, no.

**Dr. Rowley:** Mr. Speaker—[*Interruption*] [*Crosstalk*]

**Hon. Dr. R. Moonilal:** Mr. Speaker, I withdraw any adverse comments I have made about the Member for Diego Martin North/East. [*Interruption*]

**Mr. Imbert:** Right. Good, good. Nice.

**Hon. Dr. R. Moonilal:** In a subsequent time I will bring the record, and I will place it on record. But, Mr. Speaker, Members of the Government, unnamed at this moment, threatened to take me to the privileges committee. And, Mr.

Speaker, they threatened because they were not in support at that time. I am happy that all Members are now comfortable participating in Committees [*Desk thumping*] live on television and radio, and broadcasting. We had division then, as we do now. So the new Standing Orders provide for the absolute protection of the right of the Parliament to broadcast.

Appendix II of the proposed revised Standing Orders, details the “General Rules for Broadcasting of House Proceedings.” Specifically, it outlines the “Conditions governing the broadcasting of excerpts of proceedings by radio and television stations”, as follows, and I quote:

- “(a) Broadcasts of excerpts shall be used only for the purpose of fair and accurate reports of proceedings, and shall not be used for:
- (a) Political party advertising or election campaigns;
  - (b) Satire and ridicule,
  - (c) The purpose of maliciously attacking someone’s reputation or character; or
  - (d) Commercial sponsorship or commercial advertising.”

With regard to opportunity to respond, the proposed revised Standing Order 18 provides guidelines for a member of the public who was:

- “(2) ...referred to in the House by name, or in such a way as to be readily identifiable”—that person—“may make a submission to the Speaker in writing.”

This submission may claim that the person was adversely affected by the reference, submit a response to the reference, and request:

- “that the response be incorporated in the parliamentary record:
- “(3) A submission must be made within two (2) weeks of the reference”—or offending statement being made, and
  - (4) The Speaker shall consider whether...the response should be incorporated in the parliamentary record.”

Mr. Speaker, another area of reform—long in need of reform as everything else is the area of petitions. The proposed Standing Order 21 on petitions, provides for action to be taken on petitions. As it is now, Mr. Speaker, as you know Members will make petitions, read them out with great fanfare in the

House, call 2,000 names of the petitioners, and then precious little or absolutely nothing happens after, and that has been our experience. It is now proposed at (6) that after a Petition is presented to the House, the Clerk must refer a copy of the Petition to the Minister responsible for the administration of the matter raised in the Petition. The Minister shall, within thirty (30) days lodge a written response with the Clerk. Any Petition that remains without a response after the 30-day period—“shall be deemed—to be referred”—sorry—to the appropriate Joint Select Committee.

So, Mr. Speaker, where you do not get a response from the relevant Minister to a petition, that will be referred to the Joint Select Committee which is appropriate for that area of administration. This procedure for action to be taken on petitions would help to ensure, Mr. Speaker, a certain level of ministerial accountability, because at the Joint Select Committee which is also broadcast live, those issues can be raised as agenda items. So the citizens making the petition can go one step further when it becomes the business of a joint select committee. The provisions would not apply to a Petition from the promoters of a Private Bill.

In terms of papers, Mr. Speaker, proposed Standing Order 22 has added the option for:

“A Minister presenting a paper”—to—“a make a short explanatory statement of its contents”—however, there shall be no debate on the statement.

Additionally an important new provision is that:

“Within twenty-one (21) days of the return to Trinidad and Tobago of an officially recognized parliamentary delegation... a report”—shall be presented to—“the House on the activities of the delegation.”

So all Members—and, Mr. Speaker, might I remind the national community, any report presented to the Parliament, is a report in the public domain. It is for the members of the public. When we say a report presented to the House, it is really a report presented to the public. So that the public will now have a right to see what has been the outcome of a trip, a delegation attending a parliamentary conference or seminar as the case may be. It becomes a public document. So, Mr. Speaker, again, it is really deepening the accountability of the Parliament and of all Members of Parliament.

Mr. Speaker, one of the more innovative initiatives of the new Standing Order 26 and certainly revolutionary in our context, but not elsewhere I imagine, is the

introduction of “Prime Minister’s Questions”. Mr. Speaker, Prime Minister’s question time is an opportunity during the second sitting of...each month for Members of all political parties to question the Prime Minister for a maximum of 30 minutes on any subject:

“(2) During Prime Minister’s question time, questions may be put to the Prime Minister relating to current matters of national importance or on the general performance of the Government and Government agencies.”

And at:

“(4) A question to the Prime Minister shall not exceed fifteen (15) seconds in length, must be asked without argument or opinion, and shall not address more than one matter of general government policy.”

So, Mr. Speaker, it is meant that this question time will be a useful, crisp, energetic period, when Members of any political party can stand and ask questions, pointed and direct questions, briefly to the Prime Minister, and a Prime Minister would respond, once per month during this time. Mr. Speaker, again it speaks of the additional accountability, transparency and the role of the Parliament, Mr. Speaker, in discussion, in debate, on critical issues facing our country.

Mr. Speaker, we also have the provision in the new Standing Orders, for what we deem urgent questions. There is a provision for urgent questions in the existing Standing Orders that has been utilized since 1961, particularly because the relevant roles are unclear. Therefore, in our proposal, Standing Order 27 provides a clear procedure for urgent questions:

A—“Member desiring to ask a question on the ground of urgency in the public interest shall submit to the Clerk a copy...at least one (1) hour” before the start of a sitting.

So by 12.30, if we are meeting at 1.30, you submit a copy of this question called an urgent question, not later. Mr. Speaker, the question must be approved by the Speaker, following which the Clerk must then inform the relevant Minister of the urgent question as approved before it can be asked on the floor of the House.

So, Mr. Speaker, whereas we do have a procedure now for a matter of urgent public importance, which really is a matter, a more comprehensive matter, and these matters are raised, I think under Standing Order 11, Mr. Speaker. Instead of raising a matter for urgent public importance, you may want to ask an urgent question in the public interest, and you will file that question at least an hour

before, it could be more than an hour before, and the relevant Minister is asked to respond to that question.

Mr. Speaker, questions with notice. Proposed Standing Order 29, manner of asking questions which require notice, provides for new guidelines to Members. It states that:

“(1) A Member shall not publish his question prior to such question being approved by the Speaker.”

Similarly, a Minister shall not release the answer to a question for:

“publication until the answers have been given on the floor of the House, or laid on the Table.”

The Minister’s response time for a question, has now been specified as five minutes or less, and there can be a maximum of four supplementary questions. [*Desk thumping*]

Additionally, there is now a provision for a Member asking a question that was deferred and remain unanswered after 14 days, to:

“ask that the Speaker write to the Minister concerned, seeking reasons for the delay in answering.”

Mr. Speaker, we have had a history in this Parliament which we will not want to repeat, where there have been questions on the Order Paper that have actually stayed for the life of the session, never answered, Mr. Speaker.

**11.45 a.m.**

Mr. Speaker, it is in the interest of transparency that we introduce this Standing Order to ensure that even when there are questions asked, and they must be deferred—sometimes with good reason—that the relevant MP asking the questions is given some answer as to why they are delayed, and why they may be taking so long. Because, Mr. Speaker, as you know, some of these questions—they may ask a question and it requires extensive research in some cases, as today, it requires reading out a list of entities and so on, and those things to ensure that they are accurate, they also take time to compile, to cross-check to ensure that we have accurate information when we come to the Parliament.

**Mr. Cadiz:** Like grass on the Pitch Lake. [*Laughter*]

**Hon. Dr. R. Moonilal:** Motions on National Policy Issues: Mr. Speaker, every Private Member's Motion approved by the House which requires action on national policy issues shall be submitted to the Clerk to Cabinet for consideration within one week of the date of approval by the House. Cabinet's response to a Motion shall be tabled by the Leader of the House within 30 days of the date of submission. So Mr. Speaker, another avenue to raise matters in the public interest, and those matters now can be submitted to the Clerk to Cabinet for Cabinet consideration, and the Cabinet can make a response to a Motion, and table it in the House via the Leader of Government Business and within a time frame.

So again, Mr. Speaker, greater opportunity for citizens—through their representatives—to raise issues that affect them and, Mr. Speaker, you can see this as deepening our democracy; you can see this as widening our scope of accountability when citizens can ask a question maybe on an infrastructure project; they can ask a question maybe on a matter of serious policy, and through the Parliament get to the Cabinet, for the Cabinet to consider such a matter through the Parliament. [*Crosstalk*] This, Mr. Speaker, is where we are taking the governance of the Parliament and the country. [*Desk thumping*]

Mr. Speaker, another extremely important area deals with length of speeches and debates, regrettably, not with quality of speeches but, Mr. Speaker, in terms of the length of speeches, I do not think we can regulate on quality, then Dr. Gopeesingh will have more to complain about. In order for the House of Representatives to become more effective, given the current demand on its limited time, a comprehensive revision of the time limit of speeches is proposed. There was general agreement that the time allotted to each Member during debate, when measured against the House workload today, means that the number of Members who can properly participate in the proceedings of the House is severely restricted. Mr. Speaker, and I make this point too, given our history, again.

When you had, Mr. Speaker, Members of Parliament who would have traditionally been representatives of the plantocracy and the professionals, they would come into town once a week to discuss the matters of grave importance to the nation, and they would operate once a week, generally, and it would be in the afternoon because it was felt that professionals would want to undertake their business in the morning, and they will come in the afternoon and participate in great debates. We had this provision providing for 75 minutes and so on for persons to speak. Mr. Speaker, today, the role of the Member of Parliament has changed where he or she would now be required to come into the Parliament compound several times during the week to participate in committee business;

[*Crosstalk*] to participate in business of the House—Mr. Speaker, you have to protect me now—so that the requirements of a Member of Parliament today is not the requirements of a Member of Parliament decades ago. [*Interruption*]

**Mr. Speaker:** Please, please.

**Hon. Dr. R. Moonilal:** You see, Mr. Speaker—[*Interruption*]

**Mr. Imbert:** He signed the report.

**Hon. Dr. R. Moonilal**—the business of the Parliament today, again, is not the same quantity of business that a Parliament dealt with years ago because, Mr. Speaker, as you know, as we develop more institutions we build greater and more comprehensive law, Parliament is required to do more work.

**Mr. Imbert:** Is so?

**Hon. Dr. R. Moonilal:** And, Mr. Speaker, I am sure in the fullness of time, Members would be adequately compensated.

**Mr. Imbert:** Which century?

**Hon. Dr. R. Moonilal:** So Mr. Speaker, what it requires as well is to alter the way we conduct our business. Mr. Speaker, while there was a genuine case that we have heard over the years of reducing speaking time because Members of Parliament—and I must say, I have had the honour to serve for 10 glorious years in the Opposition in which we also served with dignity, and when you are an Opposition Member, in particular, the only time you will have to address your constituents and speak on national issues is really the time in the Parliament.

Government Ministers, in all fairness, would have other opportunities to articulate policy and would even be involved in the media and would have opportunities in the media and so on, but you find Opposition Members may not have that opportunity and, in restricting time, we are also conscious of that; that Members of the Opposition, in particular, would really need to use their full time to articulate their concerns, their constituency concerns, and also on national issues, and that is why over the years there has been this restrictive approach to tampering with the speaking time of Members of Parliament. We also find, you know, that is a very important matter. So, regrettably, for my friend from St. Joseph, we would now restrict the speaking time, so we may hear you with the same frequency, but less duration. [*Laughter and crosstalk*] Mr. Speaker, because my friend, the Member for St. Joseph, as you know, has an encyclopaedic span of knowledge that allows him to speak on several matters of great national import. So, Mr. Speaker, we will reduce that time.

During our deliberations, the committee was mindful that we will not infringe on Members' right to represent their concerns and their constituents. Accordingly, the committee sought to balance the reduction in speaking time with the strengthening of the committee system; holding the view that although Members would have less time to make their contributions during debates, they would be given more opportunities to voice their concerns in committee meetings.

It is proposed that the speaking time for Members in debates on Motions and Bills would be 40 minutes for the mover—all other Members would be allowed 30 minutes with a possible 10-minute extension.

**Miss Cox:** Excellent.

**Hon. Dr. R. Moonilal:** Due to the significance of the Appropriation Bill, Members would be allowed 45 minutes original speaking time, with a possible extension of 10 minutes. The Minister with responsibility for finance would maintain an unspecified speaking time for his presentation, and the Leader of the Opposition will have the same time as the Minister for his response to the Appropriation Bill.

Mr. Speaker, in terms of committal of Bills, proposed Standing Order 64, Appointment of days for stages of Bills, provide that after a Bill has been introduced, the Member in charge of the Bill may move that the Bill be referred to a committee for consideration and report. This committee shall be empowered to discuss the general merits and policies of the Bill. Additionally, a Bill may be committed to a select committee after second reading. If the report of this committee is delayed for more than 21 days, the chairman of the committee must report progress to the House immediately after the expiration period and for every 21-day period thereafter until the report is presented.

This measure will ensure that the House is provided with regular updates of the work of the committee. Mr. Speaker, an important distinction to note is that after first reading, the committee is empowered to discuss the general merits and policies of the Bill, whereas after second reading, the committee is only empowered to discuss the details of the Bill. This provides two different levels of scrutiny.

Mr. Speaker, as it relates to the Standing Finance Committee, under the current Standing Orders, the Finance Committee is chaired by the Minister with responsibility for finance. Standing Order 82 of the proposed Standing Orders stipulates that this committee shall be chaired by the Speaker. Another significant change is that the deliberations of the Standing Finance Committee will now take place in public.



Mr. Speaker, this is just another opportunity for the public to be party to and to listen to the deliberations of a very important committee dealing with appropriation, with matters of revenue and expenditure. These measures have been proposed to improve the oversight function in the budget process, and are consistent with best practice and established parliamentary benchmarks.

Standing Order 82 of the proposed Standing Orders states that a maximum of five days has been allotted for the examination of the estimates in the Standing Finance Committee together with the Appropriation Bill. This proposed Standing Order gives the Leader of the Opposition the right to determine the order in which the heads of expenditure shall be considered. The committee has also been empowered to send for relevant accounting officers and technocrats to provide information to the committee.

Mr. Speaker, the Sessional Select Committees: Proposed Standing Order 94 provides for the establishment of a Business Committee. This sessional select committee is responsible for considering matters that may arise from time to time in connection with the business of the House including the composition of Members to serve on committees. The business committee shall consist of six members inclusive of the chairman who shall be the Speaker.

Joint standing committees: in addition to the Public Accounts Committee, the Public Accounts (Enterprises) Committee and the departmental committees established by the Constitution, several joint standing committees are proposed to be established as follows—this clearly will have an implication I imagine for the work of Members of Parliament—[*Crosstalk*] Yes, it would have an implication for the workload of the Members of Parliament.

**Mrs. Gopee-Scoon:** And salary increases.

**Hon. Dr. R. Moonilal:** It will not decrease the work of the Members of Parliament. Mr. Speaker, the following committees are proposed:

the Public Administration and Appropriations Committee;

the Committee on National Security;

the Committee on Energy Affairs;

the Committee on Foreign Affairs;

the Committee on Human Rights Diversity, the Environment and Sustainable Development;

the Parliamentary Broadcasting Committee; and

a Committee on Government Assurances.

Mr. Speaker, the Public Administration and Appropriation Committee is empowered to consider and report to the House on the budgetary expenditure of government agencies to ensure that expenditure is embarked upon in accordance with parliamentary approval. This examination of budgetary expenditure of government agencies takes place as it occurs, and keeps Parliament informed of how the budget allocation is being implemented as opposed to after examination conducted by the Public Accounts Committees. I suppose, Mr. Speaker, this is what is called the ex post facto examination. Additionally, the administration of government agencies—and one hindrance to their efficiency that would be dealt with is the recommendation to the Government for improvement of public administration as this committee may consider.

The Committee on National Security has the duty of considering from time to time, and reporting on all matters related to national security on matters of policy. This particular committee shall be authorized to examine the security, safety and protection of citizens as well as working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information.

The Committee on Energy Affairs—this issue has been around for a long time, and this Parliament, as you know, has also agreed with international practices in the Commonwealth jurisdictions to have specialized parliamentary committees dealing with mineral resources and energy affairs. The Committee on Energy Affairs will be responsible for considering and reporting, whenever necessary, on all matters related to the expenditure, administration and policy in relation to energy affairs. Whereas the Committee on Foreign Affairs will consider and report on all matters related to foreign affairs as may be referred to it by either House of Parliament. Similarly, the Parliamentary Broadcasting Committee shall have the duty of considering, from time to time, and reporting on all matters related to the regulation of the live broadcasting and televising of parliamentary proceedings.

Mr. Speaker, the Committee on Human Rights Diversity and the Environment and Sustainable Development is responsible for considering the compatibility of Acts of Parliament with human rights, and any matters related to human rights in Trinidad and Tobago, but excluding consideration of individual cases. This committee will also consider the creation of an inclusive and more equitable society through greater social justice, and sustainable human development within Trinidad and Tobago, as well as issues concerning the environment, climate change, energy efficiency, sustainability and planning.

Mr. Speaker, the Committee on Government Assurances is responsible for scrutinizing the assurances, promises and undertakings given by Ministers from time to time on the floor of the House, and report on the extent to which such assurance, promises and undertakings have been implemented.

**12.00 noon**

So, Mr. Speaker, this committee will really assist the Government and Opposition, but the Government as well, in that it monitors commitments made, assurances and so on, so that one can have a report on where we are. Ministers can be reminded of outstanding matters that they must provide to Parliament, and it makes for a much more effective and efficient management of our Parliament; and it makes for more productive debate as well.

Mr. Speaker, having explained to the House the main proposals for revision of the Standing Orders, it is my pleasure on behalf of the Standing Orders Committee to submit its report containing the new Standing Orders to this honourable House for its adoption. All Members would no doubt agree that some of the proposals seek to introduce significant changes in the way the House conducts its business. Mr. Speaker, this is the first attempt at major reform of our parliamentary proceedings since the inception of our Standing Orders, 1961—in how many years?

**Hon. Member:** Fifty-three years.

**Hon. Dr. R. Moonilal:** Fifty-three years, Mr. Speaker. Fifty-three years later we meet to reform our parliamentary proceedings. The Standing Orders Committee is aware that the proposed new Standing Orders would not be immediately implementable. Mr. Speaker, I have been asked to suggest to the House that the date for the revoking of the existing and the commencement of the new Standing Orders coincide with the new parliamentary session. The relevant procedure in relation to that suggestion would be placed before this House during the course of the debate. Mr. Speaker, this is done so that all Members would have ample opportunity to read, to study the new Standing Orders. The country as a whole will have an opportunity to understand the new Standing Orders, and when we meet for the opening of the next parliamentary session the new Standing Orders would take effect.

Our committee is confident that this will be an essential first step in the process to bring the operations of the House of Representatives in line with common demands and expectations of our modern society. Members fully

appreciate that much is expected today of elected representatives of the people in every democratic country and of the view that the proposed revised Standing Orders can, if accepted, assist the House to better meet the expectations of all citizens of Trinidad and Tobago.

Mr. Speaker, these proposals would demand even more of our time and would require the commitment of all sides of this House. In order to improve the way we transact business in this House, Mr. Speaker, we will need the commitment of all Members. The Members of the Standing Orders Committee fully appreciate that there may be other aspects of the operations of the House that commentators would like to see revised. However, we are satisfied that the expectations of the citizenry cannot be put on hold any longer, and we must start the process of change wherever and whenever we can.

Mr. Speaker, today we invite Members of the Opposition and the Government to participate in this debate. We invite members of the public to listen to this debate, to understand the workings of the Parliament, to understand the demands on Members of Parliament, to understand how, by changing our Standing Orders, we are deepening our democracy; we are increasing the scope of our accountability and responsibility, and how ordinary citizens now can play a greater role in parliamentary proceedings to ensure that issues that affect them are aired in the Parliament and addressed, not only by their Member of Parliament, but by all Members of Parliament.

So, Mr. Speaker, the committee acknowledges its gratitude to all those who assisted in the completion of its work and, Mr. Speaker, on this truly momentous moment, I beg to move. [*Desk thumping*]

*Question proposed.*

**Mr. Speaker:** The hon. Leader of the Opposition. [*Desk thumping*]

**Dr. Keith Rowley** (*Diego Martin West*): Thank you very much, Mr. Speaker. Mr. Speaker, I rise to join this debate on this, what I consider to be a watershed moment, because if we get this done right, Mr. Speaker, significant positive changes can come to the management of the affairs of Trinidad and Tobago.

I want to associate myself with most of the comments made by my colleague from Oropouche East, and to begin by thanking and congratulating all those persons, Members of the House and the support staff, and consultants and technicians, the Parliament staff, who worked tirelessly over a protracted period of time to bring us to where we are today.

Mr. Speaker, 1961, I had not yet written Common Entrance, and it is against that background that, today, having the opportunity to join my other colleagues in this House to address this very important matter, that I feel the sense of some satisfaction that we are at a point where we can make some significant impact. What these Standing Orders, in their recommended version, are meant to do, Mr. Speaker, is to bring the Parliament of Trinidad and Tobago into the 21<sup>st</sup> Century. To make the Parliament of Trinidad and Tobago truly prepared to manage the affairs of Trinidad and Tobago, because as it stands now, while we have a Parliament, while we meet and while we take certain decisions and enact certain laws, from the point of view of management, from the point of view of accountability, from the point of view of initiating and holding people accountable, the Parliament fails miserably.

To begin, Mr. Speaker, I want to just say there are very few areas in the Standing Orders that we do not see eye to eye with the Government. The Standing Orders Committee as you know is a House committee. We took part in it, and a lot of discussions and deliberations took place behind closed doors. Today, I am a little disappointed that the Government's view is that we will not act on these Standing Orders until the next parliamentary term. It is our view, Mr. Speaker, that as soon as we can conclude this debate there is no real impediment to implementing the new Standing Orders arrangements. [*Desk thumping*]

If there were real insurmountable obstacles, we could have agreed, yes, we can postpone it till the next Government comes in after the next election. But I know of no such impediment, Mr. Speaker, and given the benefits of the outcome of a functioning Parliament against the background of what is contained in these Standing Orders, I see no reason why we should not take steps to obtain those benefits now.

Mr. Speaker, let me just very briefly indicate a couple of other points that we take note of as we go through this fairly voluminous document. One of the things we take note of, on page 15, is for the time in the Standing Orders the office of Speaker would recognize a registered political party. However, it says here:

“The Speaker shall recognize a party for parliamentary purposes, if such party:

is registered”—under the EBC and—

“has at least one Member”—in—“the House”

This simple change, Mr. Speaker, is not in our current Standing Orders and it had been the subject of a lot of debate and development, if I dare say, bacchanal, in the recent and distant past. So early in the Standing Orders that has been addressed, and from hereon in we will have no ambiguity as to what is a party, who is in a party and who leaves the party.

Mr. Speaker, on page 17 we talk about hours of Sitting, but in the Standing Orders again, after the deliberations, it says that Parliament would start at 1.30 p.m. Members have agreed that for good reason Parliament should really start at 1.30 p.m., against the background of the advice of the President who indicated that we should start at 8.00 in the morning. But good reasons have been advanced as to why we should not, in the Standing Orders, indicate an 8.00 start in the morning when 1.30 p.m. is more practical, because persons who will be in the Parliament have regularly, on a daily basis one can say, have other assignments which would militate against an 8.00 a.m. start; but from time to time we can start earlier if we wish, but the Standing Orders talk about starting at 1.30 p.m. and ending at 8.00—again, ending at 8.00 p.m. for good reason.

Mr. Speaker, it does not matter how brilliant you are, after six or seven hours of concentrated work you begin to flag. I have been in Parliament a long time. I have been through many, many debates. I have spent very long hours in this Parliament, and I can tell you, Mr. Speaker, you do not get the best out of the proceedings of Parliament when Members come in here largely through unplanned arrangements, and trying to meet deadlines and spend hours, upon hours, upon hours, treating with parliamentary business. Parliamentary business requires alert minds for serious consideration, and if we come here at 1.30 p.m. and we spend six hours, six hours of concentrated work, and from time to time we may infrequently go longer, we think that is what it should be.

Again, the frequency of parliamentary work needs to be increased, so therefore you looked at both things, and these Standing Orders relate to something else that would generate greater frequency of House Sittings, but away from these marathon sessions where tired people who are half-asleep are asked to deal with very serious and weighty matters. So, we are taking care of that.

Mr. Speaker, one of the most interesting things I want to deal with early is that these Standing Orders do not stand alone; they are part of a wider attempt to modernize the Parliament and to bring effective management. I draw your attention, Mr. Speaker, to a large body of work that has been going on in this Parliament with the assistance of external consultants and external parliaments,

which should underpin these Standing Orders, and that is referenced to the Strategic Plan of the Parliament of the Republic of Trinidad and Tobago, 2013—2018.

So we have available to us the work that has been done in this Parliament about our Parliament and about our country, aiming for the period 2013—2018. It is now 2014, but I would commend this document to all Members and to the general public, so as to understand why we are going the way we are going with the Standing Orders; and in the debate, I am sure, it will eventually be made known that parliamentarians are not just simply “kicksters” in the House, and worse, not just here for our own benefit and comfort, but we are in fact required to manage a significant portfolio of assets. We are the country’s managers.

**12.15 p.m.**

In this strategic plan, recognizing that—I want to just quote one line, with your indulgence, Mr. Speaker, to be found on page 13. It is an arrival at a position after all that has been considered by the experts in this matter, on this matter and it says this:

“By the time of taking the oath of Members of the eleventh Parliament in 2015, Parliament expects 75% of its Members to serve in Parliament on a full time and exclusive basis.”

Let me repeat that the Strategic Plan for the Parliament of Trinidad and Tobago, 2013—2018, being the fundamental underpinning of the functioning of this new and improved modern Parliament, anticipates: “By the time of taking the oath of Members of the eleventh Parliament in 2015, Parliament expects 75% of its Members to serve in Parliament on a full-time and exclusive basis.”

What that means is that it is recognized that this myth of part-time parliamentarian is to be done away with. Trinidad and Tobago, in 2013, 2014 and onwards cannot be properly managed by part-time parliamentarians [*Desk thumping*] and that is the position of this strategic plan.

Mr. Speaker, let me tell you, in my office I had my staff do some research which startled me, and I will share it with Members of the House, because even as I am here in the House, I could not believe what I was being told. Let me just go back a little to the Parliament of the past and the Parliament of the present. Suffice it to say that this is what is happening today.

This document I have in my hand is a review of reports that should come to the Parliament that, according to the laws and regulations, the Parliament is expected to deal with reports coming in from persons out there managing national

assets. That is the only way we can take control of the situation and to ensure that waste, corruption and inefficiencies are properly dealt with. But look at what the report says. These are some state enterprises which this Parliament is meant to oversee and manage; many of them are billion-dollar enterprises, but:

The following is an abridged list of state entities for which financial reports have not been laid in Parliament for at least three years.

For at least three years. The reports which we are required to have in the Parliament are not even in the Parliament. Even when they come to the Parliament, the Parliament does not have the time or the inclination to treat with the reports. So these agencies are largely on autopilot, and once in a while you will hear something bad happens with a person or an expenditure or a corrupt practice.

But it says, CAL:

Audited financial statements, period no report laid, 2009 to 2012:

CNMG, 2010 to 2012;

HDC, 2004 to 2012; Lake Asphalt, 2009 to 2012;

NAMDEVCO, 2008 to 2012; NEDCO, 2007 to 2012;

National Quarries, 2010 to 2012;

UDeCott, 2006 to 2012.

Mr. Speaker, these are periods for which no report has been laid in the Parliament. So the Parliament is not even in the loop, and I am not aware that the Parliament is agitating to get those reports.

Even when they come here, how do you treat with them? Perfunctorily. And as for the other bodies where less money is, there are a whole series of agencies here, including WASA, 2009 to 2012; NLCB, 2010 to 2012. These are billion-dollar enterprises, which I can say without contradiction, are not properly supervised by the Parliament of Trinidad and Tobago. They are not. How do you deal with this? By simply just repeating that or by having more parliamentary oversight, which can only come if parliamentarians spend more time on these issues. How do parliamentarians spend more time on it?

If the parliamentarians are largely in the Cabinet—and in this particular instance the Cabinet is virtually every Member—Ministers. This is a Government where virtually every Member is a Minister with responsibilities at Ministries. There is not a free pool of bodies in the Parliament to deal with the ministerial



side of governance, and to the extent that Ministers are available, it is largely a himself to himself for the oversight.

Mr. Speaker, the Opposition, which has the responsibility of monitoring the Government, is viewed as part-time. So Members who are required to oversee these billion-dollar enterprises are expected to go off and make a living somewhere else—which they will give priority to—and somehow, what is left of your time with your infrequent appearances in the Parliament, you will be required to oversee the billions of dollars.

In 1976 I think it was, the national budget was two-point something billion dollars—two-point something billion dollars was the national budget—and there were 36 Members of Parliament, and the Government might have had about 20 or 22, or something like that. But today, the national budget is approximately sixty-odd billion dollars, with a whole series of appurtenances around that requiring parliamentary attention, with the same arrangement for supervision. Why then are we surprised that the general feeling in the country is that there is no supervision?

**Mr. Warner:** Good point.

**Dr. K. Rowley:** Why do we feel that? And why are we inundated by allegations of corruption on a daily basis? It is because the public assets are not supervised, and we are simply pretending in this Parliament to be in charge. The arrangements for reporting are such that people can even ignore the Parliament and there are no consequences, and that matters can happen and the Parliament is not sufficiently responsive to call before the Parliament persons who are responsible for what has happened. That is why these Standing Orders as amended should be brought into force as quickly as possible, because they take into account what I have just said there and anticipate urgent action.

Mr. Speaker, the section on committees is probably the most important section in the Standing Orders here. Let me indicate to you that if we adopt the Standing Orders there will be a series of committees; but let us look at the power of committees—General Powers of Select Committees, and it says:

“To send for persons, papers and records;”

But what happens when you send for persons and they do not come or they do not make their records available to you, as you would have them, or they do not speak truthfully to committees? What happens? I can tell you, in areas where these systems operate, like the United States and in the UK, there is no question of the Parliament being treated with contempt by persons indicating whether or not they want to come. Right now as we speak, there is one state enterprise, a billion-dollar one, which spends its time corresponding with the committee as to what they will

or will not answer in the committee. But in the meantime, all kinds of nefarious reports are coming out, and we are seeing developments that are very worrisome in the particular enterprise. [*Interruption*] I have been monitoring FCB's appearance before the committee, and all I am seeing is correspondence from FCB to the relevant parliamentary committee engaging in discourse and setting terms and conditions under which they will appear before the committee.

The next thing we know at FCB is that one man walks out with \$10 million and "come in de government", and then one manager ends up with 695,000 shares in an IPO. The Parliament appears to be helpless in treating with this. [*Crosstalk*] As the Opposition Leader asks questions about this, whose job I hold, being the one person in the country whose job it is to raise these things, I am described as an angry nuisance. Well, I should be angry, Mr. Speaker. But these Standing Orders, if they are brought into effect and made to function the way the letter and spirit is intended to function, then significant change could be brought to bear in Trinidad and Tobago.

Mr. Speaker, the simple matter of question time, urgent question. We are clarifying how urgent questions could be put and the value of that. Let us take the Petrotrin oil spill. We knew that oil had come ashore on the south-western peninsula. Some of us paid particular attention to what was happening and what was being said. Had we been in the position to clearly use this Standing Order of urgent question, a Member of the House could have put to the relevant Minister a question simply like this—only 15 seconds allowed, but the question would have been: Does Petrotrin have in its possession any information or documentation as to where that oil came from? The Minister would have had to come here and answer that simple question on the record of *Hansard*. He would have had then to tell us: Yes, Petrotrin has documentation in its possession and Petrotrin is aware that the leak came from bunkering arrangements at Pointe-a-Pierre.

Instead of that, what we had was a ministerial statement that skirts the whole issue, and we had Petrotrin for weeks pretending not to know where the oil came from and invoking sabotage in 11 locations in Petrotrin's operations. In the end, Petrotrin's own management, after almost a month and a half, had to admit that they are now firing some staff under strange circumstances, because they are now admitting what we knew from December 18. A question in Parliament could have prevented this from December 19, a simple provision like that. If we make these things work, they can work well for us.

On the question of the time limit—there are occasions when one may want to speak and can speak for two and three hours on a particular subject for which one

is prepared. There is nothing more tedious than an unprepared speaker trying to speak for 75 minutes. What this reduction in the time would do would be to make Parliament's time more valuable and make it be used in a more beneficial manner. A lot of what—I should not say a lot—some of what is said in that 75 minutes sometimes is quite unnecessary, sometimes provocative and sometimes downright embarrassing, and says more about the speaker than the content.

**12.30 p.m.**

But there are very few instances, Mr. Speaker, where one cannot make the main points that you want to make in 40 minutes. But 40, to me—I would like to recommend that we say 45 minutes. Forty-five minutes is a little more manageable for a speaker, as against 40 minutes. I would like to recommend that when we adopt, that we say 45 minutes.

**Dr. Gopeesingh:** In the first instance, no.

**Dr. K. Rowley:** No. For the person who got 40 minutes, the presenter, present for 45 minutes. But I will support the change, the 30 minutes with a 10 or 15 minutes extension.

**Hon. Member:** It is 10. We could make it 15.

**Dr. K. Rowley:** Fifteen minutes extension. That means 30 plus 15, in toto, you have 45 minutes.

If after 45 minutes, Mr. Speaker, you have not made your points, then you have no point to make.

**Hon. Member:** “Yuh waste yuh time.”

**Hon. Member:** Then you owe us 45 minutes.

**Dr. K. Rowley:** So, Mr. Speaker, what that will do, it will make the Parliament more efficient. Given that I am saying that the Parliament must engage more issues then the time of Parliament becomes more valuable and should be used more sparingly. So I look forward to that, Mr. Speaker.

On the matter of the Prime Minister's question time. For those of us who have seen this operate in the UK Parliament, it is quite an experience and it is a way to make Parliament as current as possible, and to ensure that the Government is on its toes. It is a very, very important part of an efficient Parliament, and the Prime Minister cannot be sleeping on the job. Of course you are questioning the Prime Minister, but you are really questioning the whole Government through the Prime Minister.

What that does, it forces the Prime Minister to be on top of the Government and, of course, to be present in the Parliament. But a Prime Minister having to face that period in the House has to be on top of the Government—cannot have Ministers off in a corner, forgotten and going off and doing their own thing, and is only when they get into trouble you hear about them. The Prime Minister is always exposed to questions about what is happening somewhere in the Government. That is a welcome development and we hope we use it to our benefit. It happens once a month. It talks about current matters, matters of national importance and matters covering the general performance of the Government and its agencies.

A whole lot of government agencies will immediately come into focus of the Prime Minister's eye when this is implemented because I guarantee you a number of the questions that will come to our Prime Minister will come to the Prime Minister about what is taking place in that area called the state enterprise sector. The minute we implement this, we put everybody on notice in that sector that the Prime Minister is accountable for your conduct and your performance and you had better be on the ball. That is why, given what we are facing, that I am recommending we do not hesitate to bring these Standing Orders into operation. *[Desk thumping]*

Mr. Speaker, there are some points of views in the country which are quite negative. I know in the scheme of things politicians are very low down on the totem pole of favourite people. We only—*[Crosstalk]* and it is not because of income. *[Crosstalk]* I think we take heart from the fact that we are not as bad as the used car salesman. In the US every year there is a poll done as to which job is held in the lowest esteem, and every year the used car salesman wins it, right, and just edges out the lawyers, and parliamentarians are close by. But when you are a lawyer and a politician, you are in big trouble.

But, Mr. Speaker, I am not here taking issue or debating how the average person sees Members of Parliament and indicate that we should not get one cent increase. In fact I saw some recommendations that we should get a pay cut.

**Hon. Member:** Imagine that “eh”.

**Dr. K. Rowley:** But these are all members of the public expressing their views, sometimes out of anger, out of pique or just sheer bloody-mindedness, but that cannot be the basis on which we organize the country's management. When we looked at the—*[Interruption]*

**Hon. Member:** When we all wish like Warner.

**Dr. K. Rowley:**—well I do not want to come to this—[*Interruption*]

**Hon. Member:** Hon. Moonilal.

**Dr. K. Rowley:**—I just want to borrow—because we are talking about the—[*Crosstalk*] In fact, I should not go there just yet because I do not want to anticipate. It will be coming later on today—the SRC Report. So let me not—I can avoid going into that now, right, where I was going to go to deal with what Members of Parliament do.

Under Written Answers, Mr. Speaker, the new arrangements will call for written answers—where a question is filed for written answer, “the Minister questioned shall immediately submit a written and electronic copy of the answer to the Clerk who shall send the answer to Members electronically before the end of the sitting”. Because one or two Ministers have been—not now, not only this Government, but before—when written answers are required they tend to come by snail mail. Sometimes they do not come at all. Because not being presented to the House, a written answer tends to not be given the kind of profile.

But I think a whole lot more information can be gathered from the Government, through written answers, if this is enforced, and Ministers will now be required to provide the answer in this fashion as promptly as the oral answer, and that certainly will bring some improvement to the flow of information from the Government to the public.

There is also the provision, Mr. Speaker, for a private Bill. Under Standing Order 79, “Lapsed Bills and the Procedure for Carrying Over”, (2) says:

“A Private Bill is exempt from the provisions of paragraph (1)”—which is that—“a Bill shall lapse if Parliament is prorogued or dissolved before the Bill has reached its final stage in Parliament.”

So, Government Bills will be subject to that, but a private Bill will be exempt from that. Standing Order 79(3) says:

“The House may, notwithstanding paragraph (1)”—which is that the Bill would lapse if it is not completed by end of session, that—“...on motion moved without amendment or debate, agree to the resumption of proceedings on a Bill...”

I am a little unclear here as to what this means.

Currently, committee reports are saved in this way, that on a Motion we can allow committee reports not to lapse when the session ends. This suggestion here

is that we do the same thing with Bills, and I am not sure that I have an agreement on that in my own mind yet. I would want to hear further arguments as to why that is being offered because I think if Bills are allowed to run over into the next session and then to the next session, it does not augur well for the crisp efficiency that we are trying to put into the new arrangements. Because right now one of the few spurs to getting things through the Parliament is that if you do not get it done it is going to lapse.

But if we are now saying that it can lapse or it cannot lapse by simply moving a motion, then we lose that impetus for the Government to get the Bill through and to act in a particular way. So I do not know that we want to remove a working impetus by creating an opportunity for laxity. So I would want to hear a bit more about that as we go forward.

The Standing Finance Committee and Annual Appropriation—now we do have Finance Committee and I do not know that the new arrangements are very different to that, except that I see in 83(3) we are now saying that:

“The Leader of the Opposition shall have the right to determine the order in which the heads of expenditure shall be considered....”

There is some benefit to that and I am not sure if we are thinking the same thing, but it will allow for concerns from the Opposition to enter the discussion first. There might be some benefit to that. I do not know exactly how much of a benefit it would be, that it would be done at the request of the Leader of the Opposition, that the order is an Opposition order, but I see no harm. And if there is no harm there should be no hurt.

Mr. Speaker, the committees as required by these Standing Orders—and let me just go through them very briefly. Joint select committees, which are the ones that we initiate as we go along, arising out of how the House proceeds, how issues arise, how intractable they may be, how prickly certain issues might be, you need to have the whole House operating away from the glare of the debate Chamber and so on, and also to communicate with technical support and external support to get the best out of the legislative process. That is going to continue.

But Standing Order 103, “The Committee on National Security”. I am particularly pleased to see this here, Mr. Speaker, because recently the Opposition and the Government met in some discussions over national security. And one of the proposals that the Opposition made to the Government was for this particular committee to exist. Seeing it now being recommended in the Standing Orders

arrangement, I think that if we do that, at least one of those recommendations that we made to the Government, while not finding favour for execution from the Cabinet end, we are finding it here from the revision of the Standing Orders end. So this—

“Committee...shall have the duty of considering, from time to time, and reporting whenever necessary, on all matters related to national security policy”—in—“Trinidad and Tobago.”

I do not know if we should confine the committee just to policy. This committee would be more useful if it also can examine the operations of national security agencies in the country. Because, you see, policy could be circumscribed in many ways and can—so okay that is the policy and you are following the policy. But how is the policy working? How is the policy delivering on the expectations? Because the policy does not exist for its own benefit, there is a purpose to policy and after policy there is execution. How are the executions going? And if issues arise in national security, then the Parliament should be able to address those issues. But if you are confined to policy, then an intransigent government could simply say that is not policy and therefore we do not have to cooperate.

But if, on the other hand, we acknowledge, as we are trying to do here fundamentally, that the Parliament is the ultimate manager of the country's affairs, then do not limit the Parliament with just looking at policy. Let the Parliament have that responsibility. If in the Parliament's judgment something is happening or not happening in national security, the Parliament should be able to intervene and, therefore, we need to look at it in that context and not make it so circumscribed.

It goes on to say though that the Parliament will look into the working relationships between agencies. Yes. And which are involved in intelligence gathering, how they collect, coordinate, and so on.

Well, you can get into chit-chat with public servants about that. The Minister will tell you what the Government's overarching policy is, but are we shutting the door to in-depth, investigative intervention of the Parliament? I do not think we want to do that.

**12.45 p.m.**

I would not want to recommend that we do that, by so write in the text that it can open the door for persons to take the position that is being taken now by some

agencies that, listen, we do not have to comply with you because you are, you know—next thing we are getting some lawyer letter from some agency saying that the parliamentary committee is overstepping its bounds because you are only allowed to do so and so. And once you see that, it is like somebody telling you, “I am telling you something confidentially, it is a secret; I do not want you to tell nobody.” it means it is something that we ought to know. So, we would want to have a look at that again to see how we could broaden that.

The committee on energy affairs particularly at this time in our history, this committee is urgently required. We are an old oil-producing country, producing less and less oil, finding less and less. We are a gas-exporting country. The world that we earn our living in is changing by the hour, becoming more and more technical, political, with serious commercial arrangements that we have to be in step with. What we do not want is for us to be negatively affected by not singing from the same hymn sheet as a country. And this energy committee is to help establish, monitor and ensure that the agencies execute policies in our best interest, and even more importantly, to inform ourselves as to the nature of the area that we are selling and buying in. Having Members of Parliament better informed in areas of energy affairs can only redound to the benefit of the people of Trinidad and Tobago.

And, therefore, this committee which has a history—I remember, it must have been in the '96 election, thereabout, 1995, where, at our end, the PNM, we did indicate, I think by manifesto, that we would move towards the Parliament having some committee of this nature. Then, we had instead the broad committee of the—what was it called? The energy subcommittee of the Cabinet, which pretty much did most of that work and there was no follow through in the Parliament. Later on, when the leadership of the PNM changed I, myself, in acknowledging the importance of this committee committed to having such a committee and now it is coming to us in this way as an amendment to the Standing Orders. I welcome it and I think it is not a day too late, and we should implement this as quickly as possible.

There are decisions being made—right now as I speak—that have far-reaching consequences for the people of Trinidad and Tobago, but known only to a few people and largely unknown to the Parliament and, therefore, that is not a situation that we want to allow to continue for too long. There are decisions to be made as I speak. If one had followed the energy conference recently, held here at the Hyatt, you would have noticed the urgency with respect where matters of a fundamental nature, we are on the verge of having to treat with—*[Interruption]*



**Mr. Speaker:** Hon. Members, the speaking time of the hon. Leader of the Opposition, Member of Parliament for Diego Martin West has expired.

*Motion made:* That the hon. Member's speaking time be extended by 30 minutes. [*Mr. N. Hypolite*]

*Question put and agreed to.*

**Mr. Speaker:** Hon. Leader, may I enquire whether you will be extending to your entire 30 minutes, and if you are, I would like to suspend for lunch. Or if you believe that you would wrap up by one o'clock, then with the leave of the House, we can go until one, but it is up to you in terms of whether you want to consume your full 30 minutes or we could adjourn?

**Dr. K. Rowley:** I get the sense, Mr. Speaker, that my colleagues are hungry—*[Interruption]*—and they recommended that we go to lunch now, and then I can spend another 20 minutes or so, so we will come back after lunch. *[Interruption]*

**Mr. Speaker:** Hon. Members, I think it is a good time for us to suspend for lunch. This sitting is now suspended until 1.51 p.m., or let us say two o'clock. We shall resume at 2.00 p.m.

**12.52 p.m.:** *Sitting suspended.*

**2.00 p.m.:** *Sitting resumed.*

**Mr. Speaker:** The hon. Leader of the Opposition and Member of Parliament for Diego Martin West. *[Desk thumping]*

**Dr. K. Rowley:** Thank you very much, Mr. Speaker. Before we took the lunch break I was on the subject of supporting the arrival of some very important committees by way of these improvements to the House Standing Orders.

I did mention how important it was for us to have the national security committee, and I was on the subject of the timeliness of having the energy house committee. And in both instances I do not think I need to make too much of a case to impress upon you that the great benefit of having these committees is to ensure that there is continuity in policy, and that policy does not change whimsically with the change of Government.

What is desirable, Mr. Speaker, is that as a Parliament, as a people, we choose the best course of action, whether it is in treating with criminal conduct and our responses to violent crime or, in treating with the policy of how we extract our hydrocarbons and price them for the market, how we invite foreign investment, how we train and export people, and all of these things. Once we have an

agreement as to what we do as a country, then such decisions should survive changes in Government, and then the people of Trinidad and Tobago will get the best out of what we have in our potential.

It is quite debilitating when policy lasts only until the next election, and in many instances, Mr. Speaker, these changes which mirror elections are changes done without review; done completely without review. It is not to say, well, you have looked at it and you have come up on this occasion two or five years later and you have determined that the best fit is now this and you adjust the course to that. No, it is usually—one gets the impression that is bloody-minded; since my opponents were doing that, I would not be doing that; I have come with a bright idea, even though it is dangerous and damaging.

I draw your attention, Mr. Speaker, to one particular policy decision that was taken by a very popular Government. When the NAR came into office in 1986—you go to the manifesto, I could never forget, I think on page 17 or thereabout—and because of the difficulty we were having as a people under a PNM Government, with the coming into being of our industrial programmes at Point Lisas, it just so happened that while the idea of building Point Lisas was a great idea, when the first set of plants came into production, they came on stream just at the time when there was a downturn in the world's economy and the market for steel and other products were not very hot and people “start” comparing what we were earning then with what we spent on the plant, and what we spent on the estate. And there were those who had no faith in our destiny and thought that the very idea of going into these products was a bad idea; it was a PNM idea. And a whole lot of voices, some of them quite certified in the general election of '86, had nothing good to say about us embarking on an industrial programme which is now Point Lisas.

And because it was popular to do that in the political arena, just simply labelling it PNM, bad idea; they were called sunset industries. Not that they were understanding that there are cycles in the marketplaces for these things, and sometimes the price is high sometimes it is low, but if you are in the marketplace you are a supplier. They labelled them sunset industries, and in the manifesto of the NAR they wrote that in this country never again will we embark on any such thing.

Thankfully, they were not allowed to keep that promise. The term ended, and the PNM came back into office and we continued our industrialization. That is what is feeding us today. [*Desk thumping*] I do not know if you can find one person in this country today, who has a problem with Point Lisas and its

industries. On the contrary, bigger and more well-resourced countries are coming to us to learn from what we have done, but we had to stand the ground on a good national policy.

**2.05 p.m.**

That is why today, especially now, in the precarious environment on hydrocarbon, where we need to have parliamentary discourse and agreement and guidance as to what we do—not as PNM, or UNC, but as the people of Trinidad and Tobago—what we do on these matters. And that continuity, and that quality of discussion that will take place in committee, which does not normally take place in the open debate, will guide the policies and the programmes, and I come back to my pet peeve, will hold people accountable.

One of the big failings of this country is that we have enough resources to pay significant sums to people to do certain jobs, but when these jobs are not properly done, nobody is held accountable. We have to change that. The absence of that accountability leads to waste, encourages corruption and inefficiencies. If the Parliament is functioning, without fetter, then such persons can be held accountable, only then will the Parliament play its full role in managing Trinidad and Tobago to get the best of our resources, and that is what these Standing Orders can do, if the Parliament functions according to what the Standing Orders say here.

Mr. Speaker, I come back to the point of my colleague saying that the Government's intention is to postpone the implementation, to ask—*[Interruption]*

**Dr. Moonilal:** Thank you, thank you hon. Member for giving way. I just want to be very clear with the implementation because I may have said something in error. It is proposed that the new Standing Orders be implemented in the next session which begins in July, this year.

**Dr. K. Rowley:** “Ohhh.”

**Dr. Moonilal:** In July. I think in my contribution I said the next Parliament.

**Hon. Member:** No, you said the next session.

**Dr. Moonilal:** Next session, I did?

**Dr. Gopeesingh:** No, no, you said next Parliament.

**Hon. Member:** Next Parliament.

**Dr. Moonilal:** Okay, well, to be extremely clear it was pointed out to me. We intend to implement it in the next session, July 2014. Thank you.

**Dr. K. Rowley:** Mr. Speaker, I am delighted to hear that because that is what I expected. I was a little put off when I was guided by the erroneous comment, so I am very pleased to hear that. I was just about to say, could you imagine the Board of Neal & Massy or Guardian Life getting a report on their business which has not been going very well, and having serious recommendations to implement it. And the Board says, well, listen, we know this is bad, we know this can help it and we will postpone it until the next Board comes in, aw, I cannot do that. So I am very happy to hear that we as a Parliament will move expeditiously to putting this in place. So it saves me some speaking time. [*Laughter*]

The parliamentary broadcast committee, Mr. Speaker, you may recall we did implement—[*Interruption*]

**Dr. Moonilal:** Who was the chairman?

**Dr. K. Rowley:** Yes, but as an ad hoc committee. That was the point I was going to make. We did manage as a Parliament to expose our proceedings to the public, and I think for great benefit. It is my view that the Parliament Channel is one of the more popular channels in the country today.

**Dr. Moonilal:** The people are popular.

**Dr. K. Rowley:** I am not sure that we are popular. But people view—I am surprised when I go all over the country and people talk about seeing and hearing what is happening on the Parliament Channel. I think the benefit of that channel is there for all to see and hear, and I happened at the time, Mr. Speaker, to have been given the honour and privilege to chair the ad hoc committee that brought that into being. But now we are going to put it in as a standing committee of the Parliament, where Members of the House can continuously work with the Parliament to ensure that parliament broadcast goes from strength to strength for better benefits. So that is welcome.

Committee on Government Assurances. Now, this I must say, not being a member of the committee, I was very surprised by this, because it took me to the point of the section 34 problem, which still exists, where assurances were given to the House, and against the assurances given here, the Cabinet acted as though no assurances were given. And worse, when matter came out in the public and there was public outcry and outrage, Government Members behaved—or some of them I should say—as though no assurances were given.

In fact, it was one prominent Member of the Cabinet who literally told the country that there were no assurances given of that nature, when the *Hansard* was

clear. But then, the President of the Senate, who at the time was acting as the country's President, he reviewed the situation. One of the things he recommended was that there be some recording and monitoring of assurances given in the Parliament. That was a presidential recommendation, and I suspect that is the origin of this committee.

If a committee like that exists, it will be helpful to the Government, to the Opposition and to the public, so that what has to be done is known to be needed to be done and we can see whether it is being done and those who are not doing what they are supposed to do would be again held accountable. So this committee will bring about some element of improvement in accountability—not to punish anybody, but it helps in the management structure of things. So, surprised as I am by it, I am pleased that we can have a committee like this.

Mr. Speaker, there are a number of other committees, but I make the point, on committees, that you are going to have all these committees, for the benefits that can be had, you cannot have them under the current arrangements; they will not function. They will not give you any production because Members of Parliament are not available to the House. [*Desk thumping*] There are too many Members in the Cabinet, and Opposition Members are off making a living. So who is to populate these committees? Who is to sit down there and look at the number of agencies—I mentioned some this morning—that need to be examined?

Maybe if a House committee was properly examining CAL on a current basis, CAL would not have moved from having \$1 billion in the bank to \$2 billion in the red, requiring a quarter billion dollars a year in sustenance. Because the parliamentary committee—and I do not mean the UNC or the PNM—the Parliament would have seen that something was going wrong. This whole question of musical chairs where all kind of unqualified people are finding themselves into state agencies, big jobs, minimum salary, of \$45,000, \$60,000 and not being able to function because they did not get those jobs by proper scrutiny, that could not happen.

Right now the country is not being properly managed from that standpoint [*Desk thumping*] and the Parliament is in fact a bystander. I am sure that many Members in the House here get from the newspapers, pertinent information as to what is happening in areas under our portfolio as Parliament. We get from the newspapers that something wrong is happening there. It should be the other way around. The paper should be getting from committee proceedings what is

happening in agency, A, B, C, D or F. Only then will you know that you are properly in charge of the situation, and we are talking here about many agencies and hundreds of billions of dollars.

Right now I am very uncomfortable about what I am hearing is going to happen or likely to happen with NEC and NGC, not that it may be a bad thing, but because I do not know enough about it. I am not sure that what they are embarking upon is the best approach, because it is being done against no transparent policy. At worst, it may be done in a boardroom where people are either ill-informed, inexperienced, and may have other agendas. Not every agenda of every individual or every board is the national agenda, but the Parliament must know that the national agenda is prevailing. So these Standing Orders will bring the Parliament into control of these matters if we do what is written here.

I want to remind you, Mr. Speaker, this is not a “vaps” report done by some person who just had a bee in their bonnet. This was done after extensive review of best practice around the Commonwealth and the world. So why are we reluctant to have the benefits of that? And why are we guided by the ill-informed? Because a lot of the discussions about Parliament in our country is driven by the ill-informed or the unintentioned, but we have a responsibility to take the lead in ensuring that the country gets the best parliamentary output.

Mr. Speaker, so we have these committees, the Parliament now has to be resourced because these committees, if they are going to function properly, will have to have staff. Without staff, they are just names on paper. I would hate to want to think that we come so close and just appoint committees, and I am on six committees, my colleague is on four, he is on three and they do not function properly. They need staff, and some of that staff will be technical staff. Many of the young people who are training now should find themselves into providing their expertise to help us manage. We are talking about making a quantum leap in national management. If the Parliament raises its game through this, then it will lift the entire country, because the entire state sector, which is a huge part of our economy will find itself under spotlight and the managers, the boards, the employees throughout the agency would be lifted to reach up to the standard that Parliament expects.

So it is a quantum leap that we are talking here about. That is why this change in the Standing Orders should be seen in that way and not just a day in Parliament when we appoint some committees. Let us see it in the context of an effort to improve the country’s management and there is a cost to it. And we will come to that later in the next debate.

Accommodation: if you are going to have staff, they will require proper accommodation, and in that context those who are involved in the whole—this location is temporary, we are talking about doing something else at the old parliamentary site, accommodation for Parliament staff to serve its committees and committee locations, access by the public to these matters, because all these committees, there should be a nexus with the public. The current arrangements which are being reviewed must take that into account, go right back to what I said in this strategic plan; this is the foundation.

Mr. Speaker, the whole question of taking evidence before these committees, the committees cannot just be, “Mickey Mouse” location, where you come and talk and if you are displeased you do not answer or you give answers that are ambivalent and so on. Then all will fall down. The committees, if we go to Standing Order 111, where the committees are described in some greater detail, I want to insert in there, somewhere for consideration before you finalize, as persons are required to come before these committees, and it says “persons” eh, it did not say which person, persons, which means that the power of the Parliament should be broad to deal with public business. But is that power a power of subpoena? When persons come before these committees, what if they do not speak the truth? What if they are uncooperative in many ways as they can be?

**Hon. Member:** As usual that happens.

**Dr. K. Rowley:** What if they are deliberately misleading? What if they withhold information without indicating that they are withholding information? Are they in fact pleading self-incrimination or just playing smart with foolishness or are they smarter than the parliamentarians and they come, spend a couple of hours, have some tea, leave us and laugh? What this also means, the power of subpoena somehow has to find its way for these committees.

So, when a person comes before a parliamentary committee, it is serious business, it is serious business. And if you are managing billions of dollars of state assets you cannot come here and tell me you do not want to cooperate with the Parliament. You do not have that option. If you want it then let me see your letter of resignation. But while you hold the office, you cannot come here and tell me or tell the committee that you are not inclined to give us the answers that we are looking for and the public interest is being damaged. A significant part of this country’s assets now lie in the state enterprise sector and most of them are very well paid, far better paid than parliamentarians. I can tell you.

**2.20 p.m.**

When I was in the agriculture ministry being responsible to this Parliament for the bankrupt Caroni (1975) Limited, there were 14 managers earning more than I was earning but I was the one held accountable, and the country is happy with that. But, understand, accountability has to be the centre of all of this, and if these committees are going to function, people have to come and they have to come under power of subpoena. If they resist—they can be invited, they come, then there is no need to. But if they do not come—and sometimes, as we are at now, there is a lot of interlocking business between state sector and private sector. A parliamentary committee should be empowered not to confine itself to state sector employees only if, in fact, public business is to be properly looked after.

Mr. Speaker, these committees should be authorized to have the power to report to the Parliament, first of all, and its report to the Parliament should find its way, if the Parliament so sees fit, to any public agency or body, including the police and the Director of Public Prosecution, for the protection of state assets and state interest. So when we finalize it, I put that on the table for further discussion.

Mr. Speaker, how much time do I have left?

**Mr. Speaker:** You have exactly nine more minutes.

**Dr. K. Rowley:** Thank you. I will finish in that time.

I come to Standing Order 112: General Procedures in Select Committees. The first procedure there is time of select committee meetings: Mondays between eight and four; Tuesdays between eight and one; Wednesdays between eight and four; Thursdays between eight and four; Fridays between eight and one. Suppose these part-time parliamentarians get on these committees, when do you make a living? And it is good to have these standard times because, then, the public can monitor you and they know what to look for and when to look for it. But this is a multifaceted thing. These Standing Orders cannot stand alone. They stand against other decisions to be made elsewhere at a different time.

Mr. Speaker, it gives the power to the Members of the committee—any Member of a committee—to request evidence and to inform the Clerk that they would like to examine a witness and the committee shall decide if and when to request the attendance of the witness or call for papers. It gives that power to a Member of the House. Every Member of the House who is on the committee can do that in a situation where the Member sees fit. And then the Clerk shall request any person to attend and give evidence before the committee or request that



papers and records that are relevant to the proceedings be produced. Under what penalty? This is where I am insisting that there be some clear arrangements that these are not just requests for someone to cooperate as volunteerism. They are virtual examinations of conduct and of assets and resources and should be taken in that way.

Standing Order 113 is interesting, Mr. Speaker. I think we already have this but I just want to mention. It says: Premature Publication of Evidence. I mention this because Members of the House sometimes are our own worst enemies. In fact, a Prime Minister I worked with who is in the House today, always says that if politicians are held in low esteem, it is largely as a result of our own doing, and that is true. Because, you see, this Standing Order 113 is one that we all know. Members of the House who familiarize themselves with Standing Orders know that if a committee is sitting and any person, including a member of the press—even if a member of the press gets access to the proceedings of a committee before that committee reports to the House, it is an offence to publish that.

So when *Newsday* went and published the proceedings of a committee that had not reported to the House and was called before the House for that action, and that action alone, I had to sit here and listen to a colleague of the House excoriate the Government of the day as though the PNM had done that, and accused us, Members of the House, of being anti-press and anti-*Newsday*, carefully not saying that what *Newsday* came before the House for was to account for a breach of the Standing Orders for publishing prematurely, the proceedings of a committee. And he made a point about Mrs. Mills coming here, “Oh, poor Mrs. Mills came”, as though somebody set out to harm an old lady, leaving completely out of the picture the fact that a Standing Order had been breached and the House was seeking to protect its privileges.

So I tell Members, do not play games with these things. This is a serious business, and if there is wrong, there is wrong, and if there is right, there is right. What is wrong, you eschew, and what is right you defend.

So, Mr. Speaker, today I am particularly pleased to be involved in these proceedings and hope against all hope, that as quickly as possible, we will move as a Parliament, working hand in step to do what is right for Trinidad and Tobago. When I took this post of Opposition Leader, very early in my tenure I told the Prime Minister of Trinidad and Tobago, this country now—which was 2010—has the opportunity to do things a little differently. We have a new Prime Minister and a new Opposition Leader, and I gave the commitment, on behalf of my party and

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all those who I represent in this country, to all the people of Trinidad and Tobago, that we will support everything that we believe would be in the interest and benefit of the people of Trinidad and Tobago. Today, I stand proud to support this and hope that it comes into effect as quickly as possible. Thank you, Mr. Speaker.  
[*Desk thumping*]

#### ARRANGEMENT OF BUSINESS

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Thank you very much. Mr. Speaker, in accordance with Standing Order 37(3), I beg to move that debate on the Motion for the adoption of the First Report of the Standing Orders Committee be adjourned.

*Question put and agreed to.*

**Mr. Speaker:** Motion No. 2, the hon. Leader of the House, Minister of Housing and Urban Development. [*Desk thumping*]

#### NINETY-EIGHTH SALARIES REVIEW COMMISSION REPORT (ADOPTION)

**The Minister of Housing and Urban Development:** Thank you very much. Mr. Speaker, I beg to move the following Motion standing in my name:

*Be it resolved* that the House approve the 98<sup>th</sup> Report of the Salaries Review Commission of the Republic of Trinidad and Tobago.

Mr. Speaker, I anticipate that the Leader of the Opposition will have a second full-length contribution to follow me and I do not want to eat into his time. The matter before us today deals with the report of the Salaries Review Commission for which—[*Interruption*] the murmurs have started—Mr. Speaker, many of my colleagues sitting opposite are, indeed, in possession of more facts, more history, and have participated on several occasions on matters related to the support for or against the Salaries Review Commission and its recommendations over the years.

Mr. Speaker, I would just indicate Government's position and policy on this matter, and I will deal with some of these issues in headline form, really, without details and without getting into, you know, the complexity of every issue. Because I think it is universally accepted by all Members of this House, and by the majority of the national population, that the work of a Member of Parliament has changed dramatically over the past decades, that today a Member of Parliament is called upon to act in a full-time basis.

Mr. Speaker, there were administrations and leaders before who felt that a Member of Parliament was a particular calling, a vocation; was an area of

endeavour that persons, after serving their lives in professional service, in social community and religious work, at the tail end of your career you would enter Parliament to provide a higher level of service. Leadership before in this country felt that there was no need to provide full, complete terms and conditions, as if a Member of Parliament was full-time.

So that thinking over the past few decades has contributed, in part, to the position we are in today. Where we are today is not a result only of the Salaries Review Commission and their thinking on this matter. What is responsible, as well, is the failure over the years to meet and treat with reports of the Salaries Review Commission because of that philosophical view. It is a philosophical view that has been articulated over decades that a Member of Parliament is really meant to be a pensionary area—a time in your life, the end of career vocation—that you come to Parliament, you deliver speeches, you do some work in the community and you should not really have the benefits and, indeed, what could be considered the luxuries of full-time executive officeholders.

Mr. Speaker, many of us read within recent times of a letter to the editor, or an article in the *Newsday*, I think it was, by a former Member of Parliament and former Chairman of the Public Service Commission and, I believe, the Police Service Commission, as someone who ought to be in the know but made fundamental errors in his assessment of the work of a Member of Parliament and, indeed, over the facts surrounding the terms and conditions of a Member of Parliament. So that without getting into detail, it is very clear that this work has changed. It is absolutely clear.

I would tell you that a decade ago when I returned to this country, fully equipped with a PhD, and having spent about nine years in university—not doing the same degree, but doing three—and upon election, to receive a telephone call from a constituent at five in the morning to indicate that their cesspit overflow—

**Mr. Imbert:** Five? “Yuh lucky.”

**Hon. Member:** “Lagahoo.”

**Hon. Dr. R. Moonilal:** The lagahoo hour ends at three. [*Laughter*] The early bird begins at five. My friend from Chaguanas West knows the hours very well.

Mr. Speaker, then I thought after nine years in university and full academic qualifications, this is what confronts me as a Member of Parliament. And constituents can be unforgiving and extremely demanding for all of us. When the

Member for Diego Martin West was contributing earlier, I could not help but remember that in most polls you take, almost anywhere—and particularly in Trinidad and Tobago—while the politician ranks very low—third—in terms of trust and so on, yet when you advertise for candidates there is no shortage. You never have an election and there is a shortage of candidates. In fact, they all come—many come with tassa and steelband and mas and so on, at Balisier House, Rienzi Complex, and so on, to sign up. So that although the profession faces that negative imaging, it does not result in a shortage of personnel, so it tells you something else as well. What it tells you, we do not know.

So the work is extremely demanding. There is no doubt about that. It requires, more and more, a skill set that is fundamentally different. Today, a modern Member of Parliament in the 21<sup>st</sup> Century requires mediation skill; requires IT—information and computer technology skill. The travel of Parliament Members, both Government and Opposition, has increased because of our involvement with international organizations and so on, and many of us, if not all of us, travel to represent the Parliament and effectively represent the people of Trinidad and Tobago abroad and, you know, you have to be up to the task in doing that as well.

So that Members can speak for hours and days on the work of an MP. I think we are all very, very clear on that. What we need to be clear on as well, is that while that work would have changed and the demands changed over the years, the accessibility to Members of Parliament is almost at its highest.

**2.35 p.m.**

Today, members of the public will access politicians through the parliamentary website, Mr. Speaker. Persons send us emails because our email address is on the parliamentary website, through text messages, through emails, through visits.

There is no private or personal moment any more for Members of Parliament. There is no private/personal moment as Members opposite would know. My friends opposite have served for several years, some of them many, many years in Government, Ministers of Government. You know, you are almost permanently on the move. You take 10 minutes lunch break and you stand while you are changing in the morning to have breakfast. So—[*Interruption*]

**Dr. Rowley:** With the phone in your ears.

**Hon. Dr. R. Moonilal:** Uh?

**Dr. Rowley:** With the phone in your ears.

**Hon. Dr. R. Moonilal:** Yeah. You are permanently with a telephone in yuh hand, in our ears. The technology allows people to have something I think inserted in their ears to talk whole day and night. My colleague, the Member for Arima, you do not know if he is talking to you or he is talking to somebody else, but that is the nature of the job. The job has just become so different. People have access today as they never did before.

Mr. Speaker, a generation ago, persons could not call in the radio to complain about a pothole in front their house. Today, they can call five radio stations and complain about one pothole and, Mr. Speaker, the next thing today, a constituent will tell you, “Listen, if yuh doh fix dis box drain ah calling TV this or TV that”. So much so that, I told my constituents that I assume the television station had a budget to fix pothole and fix box drain, because my last recollection “I doh think TV does fix road”. The point I am making is that the citizen today, has a certain amount of—they are empowered in that way through their connections, through the telephone, through the television, the media, letters to the editor, and they are in touch. Many are in touch with MPs as well, and MPs must respond, of course, to that.

Your constituents really are not bothered too much about your work in Port of Spain and your office and executive position. They want to see their Member of Parliament. They want—*[Interruption]*

**Dr. Gopeesingh:** They want to see them at home.

**Hon. Dr. R. Moonilal:** They want to see them and they do. Mr. Speaker, what has happened and I want to say something with great love and affection. I do not want to be taken as speaking with contempt. But, Mr. Speaker, the whole society has become an instant society. You stay at home you dial, you get pizza; you stay at home you dial, you get food; you stay at home you dial, you get thing. Today, you stay at home you dial, the MP comes by your door. *[Laughter]* That is how the society is generating this instant coffee mentality. Many years ago you would write a letter, put it in the post, the MP would receive it two weeks later. The MP two weeks after would write back, and three after—that is eight weeks—the letter may get back to you and the MP would say, “Meet me in Port of Spain on Frederick Street at my office on a Friday morning, any time”.

Mr. Speaker, today, you have this mentality that, you know, the MP, we have to see you by the door. When we open the window you must be walking outside on Sunday morning, and then you are a good MP. *[Laughter]* You are a good MP. There are politicians who do that and that is fine. I have no difficulty with that, I

mean, but not everybody would be doing that because at the end of the day politics and representative work is still policy, it is still projects, it is still building. If you are a Member of Parliament, you must have your plans for your constituency.

My friend, the Member for St. Joseph, outlined his I think some time ago. You must know what you are going to build in five years, what you are going to do, how many schools, community centre, roads, whatever it is, but you have your plan. The people want that plan, but they also want to physically see you and it is a great demand. It is a great demand and this is a demand that Members of Parliament must meet and treat with. You cannot dismiss it because at the end of the day the population wants that visibility and that presence and, Mr. Speaker, to do that you must have the resources. Regrettably, not all our colleagues in the House, like my friend the Member for Chaguanas West, would be able to accept \$1 for our wage.

**Mr. Imbert:** He is unique.

**Hon. Dr. R. Moonilal:** He is terribly unique in that manner. But, Mr. Speaker, not all of us will be able to do that and the rest of us would be looking.

Mr. Speaker, to attract young people as well, professional, trained young people to public service is a major challenge in every part of the world, and in Trinidad and Tobago it is not less. How do you attract talented, young, skilled persons to public service? If in the private sector, in the international civil service, they receive better terms and conditions, how do you attract young people to public service? You have to do that at least in some way by matching terms and conditions.

Now, Mr. Speaker, I want to say that the last salary increase for Members of Parliament came, I believe, in 2005, if I am not mistaken. That is nine years ago that Members of Parliament and other groups related received a salary increase. It is well-known that members of the public service and so on have received wage increases since then.

**Mr. Imbert:** Three.

**Hon. Dr. R. Moonilal:** Three wage increases since then. The last one, I think, was 9 per cent if I am not mistaken. A 9 per cent-plus in some cases. So, the Members of Parliament and related officers have waited since 2005, and a colleague of mine, I think my friend the Member for Mayaro, is always fond of remarking that we take care of everybody's business except our own.

**Mr. Imbert:** That is a fact.

**Hon. Dr. R. Moonilal:** While we articulate on behalf of all groups, we never seem to be clear on our own, and since 2005 Members have had no salary increase.

Had a report of the Salaries Review Commission been implemented in 2008—I am informed that had a report in 2008 been accepted, we would not be where we are today—[*Interruption*]

**Mr. Imbert:** You sure right.

**Hon. Dr. R. Moonilal:**—in that, we might have well been in a position where Members of Parliament, both sides, would have been in a happier position today had the 2008 report been adopted.

**Mr. Imbert:** Interference.

**Hon. Dr. R. Moonilal:** It was not adopted. There was interference—my friend, the Member for Diego Martin North/East is suggesting—in the process and that report was never accepted. So that, Mr. Speaker, it meant that we had to work backwards almost to come up to some place where we would find comfort, mildly so.

Mr. Speaker, the matter of the Salaries Review Commission, you would recall that Members of the House Committee, I believe, attended and had dialogue with the members of the Salaries Review Commission at this very Parliament, and I made a point on that day which I would like to repeat now and I will repeat today for the record, and the records are clear there on that meeting. I indicated that while the position of the Government then, that while we were extremely eager to see a reflection of our work in our terms and conditions of employment, we were also mindful of the general economic condition that this country finds itself in.

We were mindful of the wage policy being adopted for employees in the public service. That wage policy as you know, is implemented in conjunction with several Ministries: Ministry of Finance and the Economy, Minister of Public Administration, Ministry of Labour and Small and Micro Enterprise Development. So that we were very conscious of our wage policy, conscious of what we were able to offer public officers, and I indicated to the Salaries Review Commission that the Government, while we would be eager to see a reflection of our work in our terms and conditions of employment, we were mindful of the general economic position of the country.

*Ninety-Eighth SRC Report*  
[HON. DR. R. MOONILAL]

*Friday, February 21, 2014*

Mr. Speaker, the Cabinet has received this report, has studied it in some detail. This matter has been before Cabinet and Cabinet subcommittees I believe for about two months or so, and Cabinet's position has been articulated by the hon. Prime Minister about 24 hours ago. The Prime Minister articulated the clear position of the Government on this matter.

Mr. Speaker, the Cabinet did agree to accept the recommendations of the Salaries Review Commission on the general review of salaries and other terms and conditions of service of holders of offices within the purview of the Commission contained in the 98th Report dated November 29, 2013. The Cabinet agreed to accept the recommendations with the exception of the recommendations of the Commission with respect to transport facilities regarding the limit on tax duty exemptions and motor vehicles, in accordance with the legal opinion provided by the Parliament in respect of offices under the SRC listed in an attachment to the Cabinet Note.

Mr. Speaker, the Cabinet also considered another report which was also submitted by the House Committee—it was for the Cabinet. The Cabinet studied that in great detail and found difficulty in accepting the recommendations. While that report provided some measure of reality for the work of Members of Parliament, it was felt that given the economic situation that we face ourselves and given where we are coming from, that it would not be in a position to accept the recommendations of the House Committee. It was left to the Cabinet to do that. Mr. Speaker, I want to state for the record so that there is no doubt, it is proper for the House Committee of the Parliament to make recommendations to the Cabinet. The Cabinet reserves the right, yes or no, to accept such recommendations.

Mr. Speaker, those of us who sat on the House Committee, we also are “binded” by the principle of collective responsibility and, therefore, the decision of the Cabinet stands as we are—[*Interruption*]

**Mr. Imbert:** Bound.

**Hon. Dr. R. Moonilal:** Yes, we are bound. We are bound. Mr. Speaker, therefore the Cabinet's decision stands on this matter. So the House Committee recommendations were considered. There were detailed recommendations dealing with several officeholders including the President, Prime Minister, Ministers and so on. The Cabinet agreed that the arrangements currently in place with respect to the full exemptions from Customs duties, motor vehicles tax including special



motor vehicles tax and value added tax in respect of the offices referred to, those arrangements continue to be applicable. They continue to be applicable and here we are today.

Mr. Speaker, for the record I need to place the list of offices that are affected by our refusal to accept the recommendation, vis-à-vis transport facilities. That would have affected several officers including:

- The Vice-President of the Senate
- The Deputy Speaker of the House of Representatives
- Members of the Senate
- Members of the House of Representatives
- Chief Secretary of the Tobago House of Assembly
- Deputy Chief Secretary
- Secretary of the THA
- Assistant Secretary of the THA
- Presiding Officer of the THA
- Minority Leader of the THA
- Deputy Presiding Officer
- Assemblyman;
- Councillors, other than the holder of another office; and
- The Mayor and Chairman of Regional Corporations.

So that the Salaries Review Commission Report sought to remove that travel facility for several offices and several officeholders. The Cabinet decision, therefore, returned that facility that was offered to those persons. That will continue and they will continue to be facilitated in that manner.

Mr. Speaker, may I add for the record, that this was done by the Cabinet after considering the legal opinion provided by the Parliament. But even with basic industrial relations principles and understanding of industrial relations law, most persons in that field understand as an elementary principle of industrial relations that you cannot remove a benefit enjoyed by an employee without the consent of that employee, and the Salaries Review Commission, I believe, sought to remove that benefit.

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Apart from that, Mr. Speaker, that benefit was provided via a Cabinet decision, I believed, in 1999 or 2000, but certainly around there when the former Attorney General at that time took a decision at Cabinet to provide those benefits for Members of Parliament. The Salaries Review Commission does not have the jurisdiction to rescind a decision of the Cabinet of the Republic of Trinidad and Tobago. So that we had difficulty with that decision of the SRC and on those grounds we could not accept this recommendation.

Mr. Speaker, the report has been in the public domain for some time now, but it deals not only with Members of Parliament, I want to make that point. But Members of Parliament, some, but not all, felt that these increases were very modest, they were unrealistic. The work of the MP and the Ministers deserve much more and we are mindful of that. But we are also mindful that to get to the position where we believe we get value for our performance, that is not a position you can reach overnight. You cannot take a giant leap to get there. You need to get there incrementally, and this report is but one stepping stone to get there.

**2.50 p.m.**

The Salaries Review Commission has also committed itself to undertaking a job evaluation survey to assess the role, responsibility and work of the Members of Parliament in a job evaluation, and pending that job evaluation, we will most likely, Mr. Speaker—[*Interruption*]

**Mr. Imbert:** “All yuh would not be here at that time.” [*Laughter*]

**Hon. Dr. R. Moonilal:** Mr. Speaker, my friend from Diego Martin North/East is shouting out who will be here at that time.

**Mr. Imbert:** “All yuh will be gone.”

**Hon. Dr. R. Moonilal:** We do not know where we will be.

**Mrs. Gopee-Scoon:** We will know, [*Inaudible*] for one year.

**Mr. Cadiz:** Either here or the Red House.

**Hon. Dr. R. Moonilal:** Member for Point Fortin—

**Mrs. Gopee-Scoon:** Yes, what do you have to say?

**Mr. Imbert:** It will take so long. There is no aspersion but it will take so long.

**Mrs. Gopee-Scoon:** What do you have to say?

**Hon. Dr. R. Moonilal:** I do not want to get into your internal politics; I was warned about that earlier in the day, but I want to assure you—anyway, we will see about that. [*Laughter*]

**Dr. Rowley:** We will work on it.

**Hon. Dr. R. Moonilal:** We are working on it. The Member for Diego Martin West has—he is in a challenging position but I am sure he will—[*Interruption*]

**Dr. Rowley:** He will be working on it. [*Laughter*]

**Hon. Dr. R. Moonilal:** I am sure he will do well as best as he could. [*Laughter*]

Mr. Speaker, there was a matter concerning the Lay Assessor of the Equal Opportunity Commission where a new provision for transport facility was provided, and given the position of the Cabinet and the decision, that new facility will not be provided to the Lay Assessor at the Equal Opportunity Commission. We have made a recommendation that that office be evaluated and the Salaries Review Commission can evaluate that office by itself. But we cannot, at a level of Cabinet or in Parliament, that way, provide a transport facility for a new office that way.

Mr. Speaker, the matter that deals with other office holders, and I am sure Members opposite will agree that for certain office holders—members of the Judiciary and so on—they have been treated fairly well, and they have received compensation and terms and conditions of office that are, you know, Mr. Speaker, comparable in some way to the work and the effort and the sacrifice that they make. The issue in the House, really, was that the terms and conditions do not reflect the sacrifice and the commitment and the performance of Members of the House and Members of Parliament. So, while we all deserve and think we deserve more, we are in the position to accept the modest offerings of the Salaries Review Commission.

Might I add for the record as well, it is our understanding that the term for the review by the SRC would be until, I think, 2014, if I am not mistaken. So that the process will be triggered, again, where the Prime Minister will call on His Excellency The President to invite the SRC to begin discussion on another report dealing with these office holders, because this report, I believe, was due in 2011—if I am not mistaken—and received at the end of 2013, so the report, by itself, is dated.

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Mr. Speaker, I would want to leave it there. I know Members on the other side may be a bit more passionate than I am on these matters, and will have a lot to say, but I would like to leave it there and to indicate that the decision of the Government and the Cabinet is very clear on the matter. It is our understanding that these meagre benefits will not be retroactive so that there will be no back pay forthcoming, so—[*Interruption*] October 2011, yeah but not outstanding to 2005, as someone felt, so that I believe it will be October 2011 but not 2005.

So, Mr. Speaker, with those few words, I beg to move and look forward to a very energized debate. I beg to move. [*Desk thumping*]

*Question proposed.*

**Dr. Keith Rowley** (*Diego Martin West*): Thank you very much, Mr. Speaker. A story is told in Tobago about a man who went to court and was fined by the magistrate but he had no money to pay the fine and he was facing incarceration, so he asked for permission to send instructions home to get some money, and he stayed in the dock and he told somebody nearby to go home and tell his wife to look under the bed and you would see a pan, and in that pan, there is another pan, and in that pan is another pan and in that pan is another—after half an hour of going through these pans, the magistrate realized that this man had an endless supply of pans and no money, and then withdrew the sentence and got him out of his predicament. I have that same feeling now when I listened to my colleague from Oropouche East, and I am not here acting as a union for parliamentarians but just as a person of reason.

This country is managed by three arms of the State: one, the Judiciary; two, the Executive which is the Cabinet; and three, the Legislature. I find it difficult to accept from my colleague that our straitened circumstances, whatever they are, allow the State to treat very generously with one leg of the triumvirate of state management and somehow has some difficulty in finding resources to treat fairly with the other arms of the State.

I say that in the context that I looked at what is in effect now being proposed as the salary of a Member of Parliament, and when I observe that the Member of Parliament's salary, emoluments in toto, is less than the housing allowance of a member of another arm of the State, I have a problem with that. [*Desk thumping*] I am not here taking issue or debating the public's view that we should not get an increase or whatnot, I know the work that parliamentarians do, and more importantly, I know the importance of an effective Parliament in a democratic Westminster-based or Commonwealth country. So I do not buy it. Others can

have another point of view, I am simply expressing mine and I am speaking here as a Member of Parliament. I think other Members might have different views on this matter because this is a matter you could probably have a conscience vote on.

**Mr. Imbert:** Exactly.

**Dr. K. Rowley:** But if you tell me that we could afford to have one arm of the State being treated in a way where the housing allowance of that arm is more important than the total input of another arm, then I stand by my position that something is wrong here. That is the first point I want to make.

I want to make a second point that I have no problem with emoluments that are to be approved for the Judiciary. It has my full support because I think this country could afford to pay its Judiciary to make them comfortable, and what they are now being made to earn under this agreement is not extraordinary in the context of earnings in the country. I make that very clear.

But, Mr. Speaker, I spent some time earlier on pointing out to you—and I hope I convinced you—that this Parliament is not going to function properly with Members not being available to the House, and with Opposition Members, in particular, being part-time Members. The reason I did that is because I wanted to demonstrate that if they are going to fix the problem by way of the Standing Orders, by way of full-time parliamentarians, then you have certain knock-on consequences. Let me read for you, Mr. Speaker, what the House Committee says to this House and to the country, and the House Committee is made up of Members of both sides—all sides. I am not sure that the ILP was involved but I mean I am sure—*[Interruption]*

**Mr. Warner:** That never involved me.

**Dr. K. Rowley:** Yeah, but the floor is open. However, so when I say the whole House—I cannot speak for the one member ILP but I am sure that the person will speak for himself *[Crosstalk]* but this is a House Committee.

I have a problem, Mr. Speaker, with how the SRC went about its job. You see, Mr. Speaker, when the SRC report came in, it seemed to be, from my recollection of earlier reports, taking some reversing position on earlier reports. So it seems as if, in the eyes of the SRC, the value of parliamentarians' work has, in the interim, been diminished or that the country has become so impecunious that we cannot pay what they were recommending sometime before. But more important and more worrisome to me is that I am driven to ask: what exactly is the role of the SRC now? Because the SRC came into being in 1976—I think it was—and the

reason the SRC came into being was to prevent parliamentarians from getting involved in setting their own terms and conditions. Up until then, Parliament would set terms and conditions for Members, and it looked as if Members were setting their own conditions and were benefiting themselves so an independent arbitration was put in place. We expect that arbitration would take into account facts and not fiction.

So, for the first time in my recollection, the report of the SRC was sent to a House Committee. I cannot recall that happening before. I may be wrong but it does not change the point that I am making, that is, the report went to the House Committee so that the House could look at it and see whether, in fact, there were issues to be addressed with those recommendations. Because let us bear in mind, eh, what comes from the SRC are recommendations and more importantly, my colleague just confirmed what we knew before, that it was the Cabinet that will take the decision.

So the House Committee met—Members on this side, some of my Members were there—and on that committee are two Members of this House: the Leader of Government Business, the Member for Oropouche East and a former Chief Whip, a former leader of government's side, who is now a senior Member on this side and, other Members, and they have all signed this House Committee report.

It is my opinion, Mr. Speaker—and I could be wrong—that the Cabinet failed to properly assess the House Committee Report which came consequent upon the SRC report, [*Desk thumping*] because when you read the House Committee Report, you would see that there are serious factual considerations which do not make the SRC look as the arbiter it was supposed to be, when it came into being in 1976. Because, for a start, you will hear the SRC saying—not for the first time, not for the second time—that they are not able to properly treat with Members of Parliament because they need to do an assessment of their workload and their contributions, and that will be done in the next session.

**Mr. Imbert:** For the fifth time.

**Dr. K. Rowley:** For the fifth time, I am advised—that this is the position of the SRC. But this same SRC that does not have the resource or the wherewithal to properly assess the workload and the performance of Members of Parliament, who are its charges, somehow did find the resources to want to violate basic industrial relations practice.

**3.05 p.m.**

The only thing they could have done, of significance to Members of Parliament was to seek to take away a benefit which has been there for the longest while. Could you imagine any two by four union accepting that any employer would just unilaterally take away a benefit that the employee—my colleague from Pointe-a-Pierre is smiling. He knows what I am talking about. He knows what I am talking about. No union would ever accept that because it is wrong in principle.

And my colleague from Oropouche, he has just pointed out further, it is a Cabinet decision. Where did the SRC get the authority from, to want to change a Cabinet decision in this way? But it is only a recommendation—thank God. It is only a recommendation. I heard that the Government went for legal advice. I do not know why they wasted this money. That should have been ignored out of hand. It just could not and would not happen.

But there is a mindset we are dealing with here, that parliamentarians are not worth anything and therefore they could be treated in the most offhand manner. That is what this is saying. And the only way the SRC could find it, in its association and its apportionment of state resources, to make available to a deputy chairman of a commission that meets once a month, with no constituency, no requirement for parliamentary oversight, no working in the Parliament passing laws and sitting on committees but this deputy chairman of a commission would earn more than a Member of Parliament. That is madness! It does not make any sense.

And it questions—I think there is a certain amount of malevolence that comes from the Commission to Members of this House. And if the rest of you want to accept it, that is up to you. I reject it. [*Desk thumping*] Because I work very hard for whatever is given to me as my emolument and I have not been complaining, but I will complain now when I see I am being disrespected by a Commission that takes the position that my time and effort are worth nothing.

And there is a view in this country that parliamentarians are too happy to be where they are and living the life of Riley. I do not know that, Mr. Speaker. I do not know that. As a matter of fact, I am examining the House very closely because every time I go to the bathroom and I sit on the throne, my phone rings. I suspect somebody is looking and seeing me going there. [*Laughter*] Nowadays you cannot even leave the phone behind. You take the cell phone with you into

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the bathroom. And I know what parliamentarians go through. I raised two children. Thank God for their mother, otherwise they would have been brought up without a parent. So I take it from no one in this country, that the public service that I do is worth nothing.

And I will go further. It was not because I was looking for somewhere to go and I found here and I am too happy to be here. I was a citizen who this country was very good to. I was head of a department in the university, with my pension in pound sterling, with the option to proceed with a career where today I would have been senior to those who are head of the campus. But I gave it up to do public service in the Parliament of Trinidad and Tobago and I accept no second class status.

That is why I ask—the Commission would have received a submission dated 12<sup>th</sup> April, from a Parliamentary research team, made up of officials and independent consultants. This committee did that work. And then the Comprehensive Strategic Plan for the Parliament of the Republic of 2013—2018, which I went through earlier today; it is all part of the package. And then there were recommended benchmarks for democratic legislators in the Caribbean—from the CPA, from 2011. All of these documents would have been available.

So how could the Commission be telling me now that “okay, we will treat with you sometime in the future, when we assess what you are worth and what your work load is”. I reject that. And therefore I ask myself what did the Commission treat with? But before I answer that, I go to what the Parliament says to itself because we are being told now that the Cabinet took a decision to accept what the Commission put for us, without taking on board any of the recommendations of the House Committee.

It was my expectation, Mr. Speaker, that given the knowledge that we are admitting—and let me—I think it is somewhere in this Report where the House itself, the House acknowledges—let me read for you the conclusion of the House Committee Report on one of these matters. And I crave your indulgence to quote, Mr. Speaker. And this is the House, having assessed the situation, talking to its Report, to you, Mr. Speaker. It says:

“It is also a fact...”

Not an assertion, eh. This House is determining and has determined:

“It is also a fact that, today, the role of a Parliamentarian is not a part time one and that the representational duties of an MP are key to the success of a modern democracy. Indeed, the information presented to the House



Committee by the researchers clearly confirms that Members of the House...perform legislative and representation duties relevant to their mandate, on a full time basis. To ignore the fact, maintain an erroneous position and persist in remunerating Members on the basis of a mistaken belief or error in judgement cannot be and ought not to be supported.”

That is what the House Committee said to the House. So, on what basis then is the Cabinet supporting something else? I am not saying the Cabinet should not, but what is the basis? And the only basis I have heard is the Member saying, given our straitened circumstance. Are those the same circumstances where every Tom, Dick and Harry, some of them with questionable qualifications, start their earnings at \$60,000 a month and perks? But when it is time to compensate persons who oversee the National Budget, who make the legislation in the country, and who service a constituency, you have straitened circumstances? Is that what we are saying?

And when the House speaks to itself by way of its Committee, and the Committee says to the House, the erroneous position ought not to be maintained and cannot and “ought not to be supported”, then the Cabinet is on its own. So it is. That is what it is. And then, before it came to that conclusion, the Committee dealt with this perception that Members of Parliament are only “kicksters” and the Committee’s decision was unanimous. It says:

“first and foremost, to ensure that every citizen,...”

There are four aims that parliamentarians use—four aims.

“first and foremost to ensure that every citizen, regardless of his or her personal means, can access Parliament as a Member;”

That means, if you are coming in as a young graduate or as a wealthy person, you are coming on equal status. Parliament should not only be reserved for the wealthy, as it was at one time. There was a time, in this country, where you had to be a man of means/a woman of means to get into the Parliament.

In today’s egalitarian society of Trinidad and Tobago, any citizen should aspire to come into this House, and having come here [*Interruption*] to be treated fairly and equally.

“secondly, to ensure that the main occupation of an [*Interruption*] elected Member [*Interruption*] is that...”

Mr. Speaker.

**Mr. Speaker:** Please, please, Members, allow the hon. Leader of the Opposition to speak. Please!

**Dr. K. Rowley:** I quote:

“secondly, to ensure that the main occupation of...”—the—“elected Members is that of Legislator;”

**Mr. Speaker:** Diego Martin North/East and D’Abadie/O’Meara, please!

**Dr. K. Rowley:** And therefore there should not be any restriction to that person’s ability, either restricting his or her on assuming duty and looking for work outside the Parliament at the same time. So it is an expectation that once you come into the House and you enter upon the duties of this House that you should not really go looking for work on the outside. There is more than enough work in here to be done. I thought I demonstrated that today when I told you that the vast majority of management reports coming to this House go unattended.

In fact, there is a document that comes to this House, on a regular basis, called *The Auditor General’s Report* which has some of the most disturbing reports of what has been taking place in a ministry from the previous year and this Parliament just skirts over it; not discussed—not debated, not “nutten”—even when it points out to you that billions or hundreds of millions or even tenders have been improperly accounted for. The House just does not have the time or the inclination to look at it. And “we playing” penny wise and pound foolish by saying that we cannot afford to pay parliamentarians to put full-time service to the House, but in one situation, in one ministry, in one state enterprise, you lose more than that by not being able to supervise it. That is what we are doing.

And what is interesting in all of this, for those who like to kick off on parliamentarians, the only people on the public payroll over whom the public have any control are Members of Parliament. You do not like what they are doing, then you vote them out of office next time and vote somebody else in because there will be no instance where there will be nobody in charge. There would be somebody in charge. So if you do not like the ones who are in charge, you vote them out. But we are the only people who the members of the public have any control over. Not permanent secretaries, not directors, not managers of state enterprises and, in fact, if this Government seriously wanted to treat with parliamentarians in the quantum way to get full-time parliamentary practice and, in fact, proper accountability in the country, they would make available to this House and to the public what people are paid in the state enterprise sector.

Do not look at this alone, as a stand-alone arrangement. Look at it against the background of what others are earning and then you would be in a good position to see whether, in fact parliamentarians are overpaid or overworked and underpaid. And I do not say this for argument, you know, Mr. Speaker. I know there are those outside who would say that we are arguing for a pay increase. That is not the argument I am making. I am making an argument for fair treatment and, more importantly, to ensure that my colleagues on both sides of this House are available to the House, in the service of the House. [*Desk thumping*]

Let me show you what is happening right now in Trinidad and Tobago where the politics supersedes the management. The Government has 27 Members of Parliament right now but it started out with 29. Let me start with 29 Members, in a coalition. The Prime Minister has to keep everybody happy because she cannot afford to have anybody in this coalition disgruntled and break rank. So you know what happens? Every single Member of the elected body of Members in the Government parties have ministerial status, ministerial rank and most are in the Cabinet. I will like to be a fly on the wall in the Cabinet where this J'ouvert band [*Laughter*] is discussing a matter and after the twentieth person speak, you look at your clock [*Interruption*] and each person speaks two minutes—20 by two, 40 minutes.

**Mr. Cadiz:** “Yuh going good”.

**Dr. K. Rowley:** The Cabinet of the country now is an elastic— [*Interruption*—Mr. Speaker, I prefer not to be disturbed by those who have their money somewhere else. [*Desk thumping*]

**Mr. Speaker:** May I ask Members to observe Standing Order 40(b) and (c) respectively. Everybody will get a chance to speak. The hon. Leader of the Opposition is on his legs. Continue, Sir.

**Dr. K. Rowley:** Thank you, Mr. Speaker. I was making the point—I know there are those who—in fact, “leh” me not change the mood of the day. That can be done later on. But I was saying, the problem we are facing—and I am talking here about a problem of the Parliament functioning as manager of the country and getting accountability. Because it is recognized that a Member of Parliament does not earn any proper emolument, the Prime Minister then, to give an elected Member comfort from “ah” earning standpoint, gives the deserve and deserving and the undeserving a ministerial portfolio. We had the situation where one person actually went on a fast to ensure that he was elevated to Cabinet rank and the only change that brought about was an improvement in the emoluments.

**3.20 p.m.**

You see, if we had the Cabinet positions legislated like in the THA—The Chief Secretary is limited to the number of secretaries he can appoint. The Chief Secretary is limited to the number of secretaries that are allowed in the THA. So, recently when Mr. Sandy got sick, the Chief Secretary had to reorganize the Executive, taking into account that he only had so many positions to fill. It is not so at the level of the national Cabinet. At the level of the national Cabinet, the Prime Minister could appoint any number of persons and create any number of portfolios. And that has nothing to do with management and accountability. It has to do with making comfortable elected MPs so they could stay where they are.

And that means, Mr. Speaker, when the Government comes here today and say the Cabinet has accepted the report and has completely ignored the House Committee Report, I can only conclude, without any malice, that the Cabinet is quite happy with the current arrangements. And, I may go further because I have lived it, Prime Ministers are happy with the current arrangement, because it allows them to control Members of the House—[*Interruption*]

**Mr. Imbert:** On both sides.

**Dr. K. Rowley:**—on both sides. It is this control, it is this prime-ministerial control that stands in the way of effective parliamentary oversight of the country. [*Desk thumping*] And when I spoke to our Prime Minister in South Africa, when we shared a vehicle, and I said to her: I will support a change in this so that we can bring to bear what I asked for earlier in the day, which is a quantum leap in putting the Parliament in charge and paying for it, I did not expect that the Cabinet will come today and say they support what the SRC has put in place, which has neither shipshape nor Bristol fashion and changes neither fish nor fowl.

I have to conclude that the politics trumps common sense. [*Desk thumping*] Because, to do what I am asking, I am pointing my finger at the oversized Cabinet, because what we really want in Trinidad and Tobago is a much smaller Cabinet. [*Desk thumping*] And I am not saying that now because the matter is before us, I am saying that because I believed it a long time ago and when I spoke—I spoke in Moruga two years ago and I addressed this issue and as Opposition Leader then, before the Cabinet grew to its current size, I committed to this country that under my stewardship there will be no more than 17 Members of the Cabinet. [*Desk thumping*]

And then, of course, that being so, how do you pay the rest of the Parliament? You pay them properly as Members of Parliament. And, therefore, they are not beholding to the Prime Minister's skirt tail like mother hen and the chickens, but their power and their strength stand from their earning as a Member of Parliament. [*Desk thumping*] They do not have to kiss up to be in the Cabinet to effectively function as a Member of Parliament because they are taken care of as a Member of the House. That is what I am asking for.

It would require raising the pay now, considerably. But the next time around there could only be 2 per cent and the 1 per cent because the principle is that you are now, for the first time, recognizing that a Member of Parliament, by virtue of being a Member of Parliament, is a valuable and effective person who should be properly compensated and that compensation should not only come if you are in the Cabinet and you have to go on a fast to get it, and if you offend the Prime Minister then the Prime Minister will fire you from the Cabinet and then you are on the breadline. Cannot do that!

I have been through that, Mr. Speaker. Thank God, I had a wife who "mind" me and my children because when I was fired from the Cabinet and I went on the Back Bench, immediately my circumstance changed completely because the emolument of a Member of the House was so different to a Member of the Cabinet and as long as that is so, there will be no change in the effectiveness of the Parliament and there will be no change in the country's management and the corruption will continue and the waste will continue and the inefficiency will continue. [*Desk thumping*]

Because the Prime Minister is in control of Members of the House in such a way that she dictates exactly what they earn by virtue of who goes in the Cabinet and who stays out. That is a prime-ministerial power. I am not arguing with that. But I am saying how it is being used against the background of chick feed being paid to Members of the House, we are not going to change what is happening now and I am asking for that to be changed.

We cannot accept a strategic report from the House—[*Member displays document*—this plan that talks about 75 per cent of the Members being free of Cabinet responsibility for good reason, because those committees that we talked about earlier in the day, are to examine the Government. What you have right now are Ministers on the committees examining themselves, playing block and tackle for state enterprise, running interference for known people in state enterprise, running interference, in some instances, for wrongdoers in the public sector. [*Desk thumping*]

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So you call for a document, you call for a person or you call for an investigation and a Member of the Cabinet is in the committee opposing it and rather than do what my colleague said this morning, which is to let the committee help the Government do the country's work properly, you have individuals in committees running interference, block and tackle, for wrongdoers outside. That is the way it is prevailing now and for a few dollars more you will pass up the opportunity to fix that? To fix that?

Mr. Speaker, if this Parliament does anything in this term that is worthy of the name of Parliament, we should fix this now. Now! [*Desk thumping*] Put the Parliament in charge of the country's management operations to hold the Cabinet accountable.

And on that basis I accept. I am not asking the Cabinet to act capriciously or willy-nilly. There are some generous proposals in the House Committee Report. I am not asking the Cabinet to adopt them wholesale, cast in stone, but I am asking the Cabinet to pay attention to what is there and some of it can be accepted to make the changes I am asking for and it does not require any amendment to the Constitution. It does not require any deference to the Salaries Review Commission because I was there.

I have been around for a long time. I think my colleague from San Fernando East is the most experienced person here and I am the second most experienced person in this Parliament. Both of us were around in 1980, when the THA came into being. When the THA—[*Interruption and crosstalk*] Mr. Speaker, I do not want to be provoked by the Member for Chaguanas East.

**Mr. Speaker:** You have my protection.

**Dr. K. Rowley:** Thank you, Sir. In 1980, when the THA came into being and the post of Chief Secretary was created, I was around when the suggestion came, in fact it was more of a demand, from the head of the party that had the majority seats in 1980. We had won, I think, four seats and the DAC had won eight seats and Mr. Robinson, having come out of the Parliament, was going to become the head of the THA. I think it was his suggestion to give the dignity and the respect and the recognition of the important role that the Chief Secretary will play in Tobago, that the Chief Secretary be compensated at the level of a Member of the Cabinet.

Mr. Speaker, I do not think many people are aware of that. The Chief Secretary is compensated at the level of the Cabinet and there was no problem with that. The common sense of it was seen and accepted against a

recommendation which had not acknowledged that and it did not require putting man on the moon. It simply required an acknowledgement and an agreement to do it. And the same way the Cabinet decided to have done something about the transportation arrangements for Members of the House, as a Cabinet decision, this Cabinet can look at this House Report and see what it wants to accept and what it does not want to accept. But you cannot just throw away the House Report. You cannot do that.

Mr. Speaker, I take issue again with the Salaries Review Commission. They could not do anything, with respect to acknowledging that parliamentarians are full time and should be compensated as such but to promise us for the fifth time to look at it. They could not because they did not have the resources, but they looked at the transportation arrangement for Members and all they saw was the need to cut the benefit by capping taxes that are going to be foregone if you buy a motor vehicle; if eh.

Now, these high-end motor vehicles are a whole lot more expensive than the \$350,000. The loan now is \$350,000. The loan is \$350,000. I distinctly recall when a friend of mine, John Scott, had bought a Kingswood with a government loan for \$20,000 and I asked him if he was crazy to buy a motor car for \$20,000 and then the car shut down outside by the hotel on Wrightson Road one night—\$20,000 for a car!

Mr. Speaker, my first car cost me \$12,000. No, my second car. My first car cost me \$4,000. The second car, \$12,000.

**Hon. Member:** Second hand?

**Dr. K. Rowley:** Umm?

**Hon. Member:** Second hand?

**Dr. K. Rowley:** It was an almost-new Datsun 1200, \$4,000. It still had the plastic on the seats, \$4,000, bought from Southern Sales.

Today I dare say, throughout—what was the high-end car in Trinidad and Tobago in those days?

**Mr. Imbert:** A Kingswood.

**Dr. K. Rowley:** A Kingswood, \$20,000. Later on, it was a Datsun 280C. I drove two of those. Later on, it was a Laurel. I drove two of those. Nowadays the high-end vehicles are what, BMWs, Range Rover. So, there is nothing new about—except that, what used to be \$20,000 with John Scott's Kingswood, is now \$700,000.

But my first salary, Mr. Speaker, as a gazetted officer of the State, was the princely sum of \$169 a month. That was my first job in the public service, \$169 a month.

**Mr. McLeod:** What job was that?

**Dr. K. Rowley:** Assistant Fisheries Officer in Tobago. So the public discourse usually in not well informed and needs guidance on these matters.

Now, where I take issue with the Salaries Review Commission, so you had time, you went to the transportation arrangements, you saw the need to cut the benefit where a Member will have to put out money to buy a vehicle like that, because the Government loan does not pay for it. You got to put out money and then you got to pay your own maintenance: gas, tyres, insurance, all that you fund and the Commission sees that as too much for you to have. Take it away. Just take away the tax benefit and in fact it is a tax that does not arise unless you buy the vehicle; nominal tax, esoteric.

But the commission did not see that the principle of the interest on the loan ought to be addressed. Right now, that government loan, which is still called concessionary, is at 6 per cent. So the principle of a Member of Parliament or a public servant getting a loan to buy a car is supposed to be a concessionary loan. But things have changed to the point where the Government is now a moneylender. Because there is no way you could tell me that if you are lending me money at 6 per cent, that is concessionary. That used to be 6 per cent as concessionary when the banks' interest was 10 and 12 and 14 per cent. So you let public servants, including parliamentarians, borrow from the State and pay 6 per cent.

**3.35 p.m.**

Now, bank interest, in fact, I am sure that there are Members in this House who do not take the loan, because the money is cheaper in the bank. And while the Commission pays no attention, or accepts that we have lost our benefit of a concessionary interest rate, the Commission was mum in treating with the fact that we have lost the benefit of the concessionary rate purely by virtue of changes in the banking sector and interest rates across the board; did not deal with that. All they could have dealt with was to try and take away, quite improperly—  
[*Interruption*]

**Mr. Imbert:** Illegally.



**Dr. K. Rowley:**—and I dare say illegally, as senior counsel advised me, right? [*Crosstalk and laughter*] [*Interruption*]

**Mr. Imbert:** “Is my opinion he follow. Doh try dat.” [*Crosstalk*]

**Dr. K. Rowley:** Yes, I acknowledge him as senior counsel, when your superiors attempted to give him a brief. [*Laughter*]

**Mr. Imbert:** “Is dem follow my opinion. Doh study dem.”

**Dr. K. Rowley:** So, Mr. Speaker, you understand my difficulty. I think the SRC has done quite a poor job, a worrisome one, [*Desk thumping*] being completely out of step in where the Parliament was going, is going and is supposed to go, and is being, you know—I cannot understand what was going through their minds.

So the very being is now being questioned. If the SRC will not properly treat with Members, well, what is the purpose? They came into being to prevent us from having to do this. The SRC came into being to prevent this from happening, but it has to happen if we are to get out of it, what ought to come out of it, which is a proper assessment of these offices.

And then I turn to my colleagues in the Cabinet. You have no basis to maintain the status quo. Mr. Speaker, this Government has done a couple of things that are quite naughty. One of them was to allow Members of the Cabinet to abuse state resources in the context of their travelling arrangement. I came to this House and asked a question a while ago, about a government vehicle that was damaged while being driven by a Minister of Government. They danced around it, and then they came and they told us some nancy story, but the bottom line was, that under this Government, Members of the Cabinet take unto themselves a benefit of vehicles, fully supported by the State, they are driving Government vehicles, Government gas, Government tyres, and not paying insurance; all that, using an asset that is not part of their emolument package, that is open to the Cabinet, and maybe that is why they could see it fit to maintain the status quo.

When we objected to them taking unto themselves benefits they were not entitled to: What did the Government do? The Government did not hold the wrongdoers accountable you know, and I come back to the word “accountability” again. One or two Members of the Cabinet acting improperly, did not see the Government enforcing the rules, and saying to those miscreants, you are operating outside of the regulations. What did the Cabinet do? They changed the regulations, and now made it approved, it is now approved that they could all drive Government vehicles in their own time.

You go up to the pan yard in the night, Minister of Government, with a Government vehicle jumping out, driving with some associate in a “poom poom” shorts. [*Laughter*] What does that have to do with Government business? But a Government vehicle, because the Cabinet approved that for Cabinet Members only, and I am taking issue with this apportionment of the state resources to some officers and not to others; Cabinet needs to take charge of that. Ministers of Government would go out and buy vehicles, put them in their Ministry for their personal use, outside of the eyes and pale and concerns of the SRC. Ministers of Government would lease high-end vehicles for their personal use.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Leader of the Opposition, Member of Parliament for Diego Martin West has expired.

*Motion made:* That the speaking time of the hon. Member be extended by 30 minutes. [*Mr. N. Hypolite*]

*Question put and agreed to.*

**Mr. Speaker:** You may continue, hon. Member. [*Desk thumping*]

**Dr. K. Rowley:** I thank you, Mr. Speaker, and I thank my colleagues for the extension. As I was saying, Mr. Speaker, with the Cabinet taking that position, I reluctantly had to come to the conclusion that what the Cabinet is saying is, let the abuse continue.

Mr. Speaker, it is only today I read in the papers that once again, Trinidad and Tobago has fallen on the totem pole on the corruption index. Is that the direction that we are going inexorably with no chance of changing it? Or do we want to do something to bring about the kinds of changes which will have to start with this Parliament holding the Cabinet accountable? So we can begin to be seen to be serious about accountability in the country because without accountability, corruption is a companion. It is not that any of us is more corrupt than the other, you know. It is that in the human condition people will take liberties if liberties are available.

But I grew up in Tobago, we used to raise fowls in fowl coop. “Yuh have a fowl in a fowl coop, rest assured, no matter how good yuh build the coop, no matter how much feed yuh give the fowls inside the coop, dey always looking for a place to pass to come out.” [*Laughter*] That is how they are, that is their very nature. So you do not depend on the goodness of their heart to behave. Like you hear the Commissioner of Police and other policemen asking drivers to behave on the road. No, they do not behave. You enforce the law, and they respond to the enforcement; that is how they behave.

So, Mr. Speaker, times have changed, things have changed, sadly, not for the better. But in 1976 we saw the need to do this. This is 2014. This should be routine. But I am now being forced to take issue with a commission that underperformed. You want the Parliament to scrutinize the budget, to monitor the Cabinet, you want to supervise state enterprises, but you want part-time MPs. That tells me you want the corruption to continue, you want the waste to continue. And I go a little further, Mr. Speaker, that—let me just share something with you.

In 1976, there were 23 wholly-owned state enterprises with a book value of \$341 million; there were 14 majority-owned state enterprises with a book value of \$95 million, and there were 13 enterprises with a book value of \$18 million. That was the state sector; total book value of \$456 million. Colleagues, today, that is one small WASA contract which lands and runs unsupervised. The entire state sector when the SRC came into being, \$456 million to manage, eh? Today, it is common place for there to be billion dollar contacts and activities in the state sector, that are being pretended to be supervised by antiquated arrangements. This Parliament has a responsibility to change those arrangements, and I am making that demand now, Mr. Speaker, in my time, in your time, we do it now. It is never too late to start to do the right thing.

There were 15 Ministries. In 1976 there were 15 Ministries. Today how many do they have? And when I tell you I think there is something deliberate about what is going on. Right now, Mr. Speaker, there was a case where we used to have a Ministry of Public Utilities in this country. In that Ministry, as part of the Ministry was WASA. There was WASA, there was T&TEC, there was TELCO/TSTT, right? Now, WASA, which used to have in WASA a division called water resources, water resources which was begat from WASA, is now a full-fledged Ministry spending billions of dollars unsupervised. That is what we have done. So when I say they like it so, I am on good, solid ground.

There is a whole lot happening in WASA right now, Mr. Speaker, which would make your skin crawl, but you hear it from persons who are afraid to associate with the information because they are afraid of the consequences. We want to hear it from the Parliament committee in front of the public when the Committee examines WASA on an ongoing basis. That is the only way we can protect ourselves from that. Why is there a resistance to do the right thing? Do not tell me we cannot afford it. The national budget is \$60-odd billion, and you cannot pay the management team a few million dollars to manage it? That is nonsense talk! Unproductive drones all over the country on the state payroll getting more than that.

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[DR. ROWLEY]

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Carnival: how much is Carnival costing us? [*Crosstalk*] Part of the economy, yes, but in Carnival, my friend from—my good partner from Mayaro, one year out of the blue came with a People’s Band, had 65 persons and a music truck; [*Laughter*] cost a million dollars. We go up to the Savannah one day, “dey had some kinda ting for de Ministry of National Security; \$5 million”. “There is millions there”, millions there, millions here, but the control, you suddenly impoverished. I do not buy that. I think it is a deliberate attempt to maintain the loose arrangements so that the corruption, the waste and interference can continue. [*Desk thumping*]

Mr. Speaker, I do not want to belabour these points. I simply want to say to the Cabinet, you have failed the House because you set up a House Committee— [*Desk thumping*] Cabinet set up this House Committee and this report is eminently usable by the Cabinet to come to some arrangement to put Parliament in charge. I am accusing the Prime Minister of doing nothing about it because it will entail reducing the size of the Cabinet, and she will have none of that, because for the Parliament to function in the context of our strategic plan, it calls for a smaller Cabinet and a larger free membership in the House.

Mr. Speaker, I hope my colleagues would not be wedded to that decision of the Cabinet. I am asking that my colleagues join me now, February 2014, in putting in the Parliament, Members of Parliament who are free and fairly treated to be an independent body, check, balance and overseer, on a Cabinet that will do better, if it is better monitored. That is the change that Trinidad and Tobago wants now. That is what it is. And we do this against the debate on the outside that we should not get any more money, fine. But I am sure if we do that, the population will immediately see the benefit of it.

### **3.50 p.m.**

I am advised—and I believe the advice—that in the Eighty-Ninth Report of the SRC, a salary of \$31,000 was recommended for the Commissioner of Police—\$31,250 for the Commissioner of Police—in view of his increased responsibility. That was in 2009. Subsequent to that, the Cabinet and this Parliament put a separate head for the Commissioner of Police. He is now managing \$2 billion, and almost managed some “soldier/police”—that same increased responsibilities where in 2009 he should have been earning \$31,250, according to the Commission—in 2013, four years later, the Commission is recommending a reduction— [*Interruption*]

**Mr. Imbert:** Less money.

**Dr. K. Rowley:**—for the Commissioner of Police.

**Mr. Imbert:** You believe that?

**Dr. K. Rowley:** Now, what is the mindset of the SRC?

**Mr. Imbert:** What kind of people is this? Less money for the commissioner!

**Dr. K. Rowley:** What is the mindset? What kind of mindset does that? Not only that he was commissioner with certain responsibilities in 2009, and he has those same responsibilities now in 2013—and they recommend a reduction in his earnings—but in the intervening period, you give him the role of manager of a huge multi-billion dollar budget for less money.

**Mr. Imbert:** Imagine that!

**Dr. K. Rowley:** And I think the case has been made for the Salaries Review Commission to be ignored by the Cabinet. I am asking my colleagues to go back to the House Committee Report, not accept the report in toto, but look at some aspects of it and see whether you have any real problem with Members of Parliament getting a duty allowance. All over the system there are people getting duty allowances. I do not know that anybody will argue that if there is any class of worker on the State's payroll, who is always on duty, is the Member of Parliament.

So what is the problem in giving a Member of Parliament a duty allowance, especially against the background that the SRC is saying for the fifth time that they would look at assessing Members of Parliament to determine what their workload is so as to be able to fairly treat with them? The House recommends a duty allowance, and I so recommend, Mr. Speaker. Quantum: the Cabinet can determine what is a reasonable quantum but I think the idea of a duty allowance is eminently awardable to Members of the House. [*Desk thumping*]

There are people all over the system with housing allowances, why not Members of Parliament? Why not? And, as for transportation allowance, as per transport, my memory seems to tell me that sometime in the long past— [*Interruption*]

**Mr. Imbert:** In 1991.

**Dr. K. Rowley:**—it was the said SRC that recommended state vehicle and state driver for Members of Cabinet— [*Interruption*]

**Mr. Imbert:** Yes, 1991.

**Dr. K. Rowley:** But, somehow, that now goes through the roof, and the car that you are buying now with your own money on an interest rate on a loan higher than the bank rate, they find that you must get the taxes capped. What did you all do to the SRC? I suspect that some one of you offended somebody in the SRC; this is not a normal thing. [*Laughter*]

Public servants: I was a public servant; subsistence allowance was a standard thing. So what is the problem? We cannot afford it.

Medical benefits: Mr. Speaker, anybody—you would know because you were a Member of Parliament—but those of us, particularly those of us with constituents would know the stress in servicing a consistency. I am sure that there are many people in this House who will agree that their health deteriorated over the period of service as a Member of Parliament, and that deterioration is somehow linked to how they live and how they work, but medical benefits are to be dismissed, when the House Committee recommends to the House that we get some medical benefits.

To function in this Parliament, Mr. Speaker, sometimes I have to read for hours because if you do not inform yourself you cannot contribute. A five-minute speech may require a five-day research. My eyes are not the same as they were when I was a young man, and if I get a medical benefit where I can get some help with my eyes to function in this Parliament, what is wrong with that? We cannot afford it.

Telephone allowance: I have four phones in my house, Mr. Speaker, and sometimes they all ring at the same time. Fortunately, as Opposition Leader, the Parliament pays the Bill for some of those phones, but what about the other Members who have the same kind of responsibility—almost the same responsibility—and have to pay out of their own pocket? I am surprised that the SRC has not moved to take away our vacation leave because apparently vacation leave is a luxury. Not for me! Vacation is where you recharge your batteries, it is important to your health.

So today, I would listen to the comments, most of it negative, about parliamentarians' emoluments, but I am not fazed by that. I would do what I think is sensible and right, which is to support significant changes to make Members of Parliament independent of the Cabinet, and to be able to function for the benefit of the people of Trinidad and Tobago. I thank you, Mr. Speaker. [*Desk thumping*]

**Mr. Speaker:** The hon. Minister of Labour and Small and Micro Enterprise Development, Member of Parliament for Pointe-a-Pierre.

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Errol Mc Leod):** Thank you very much, Mr. Speaker. Mr. Speaker, before I venture into my comments on the recommendations before the House, I should like to ask the hon. Leader of the Opposition, Member for Diego Martin West, whether there had been the rejection of any SRC Report by the Cabinet of which he would have been a member at any point in time?

**Dr. Moonilal:** Yes or no. Yes or no.

**Mrs. Mc Intosh:** Yesterday was yesterday, today is today.

**Dr. Rowley:** Mr. Speaker, I thank my colleague for giving way because I would gleefully answer that question because it starts on the whole question: the PNM did it too. Mr. Speaker, I prefaced my contribution by saying that when we started out in this Parliament with a new Prime Minister and a new Opposition Leader, the commitment was that we will try to do things differently. It is against that background that I made my contribution. And, Mr. Speaker, I dare say that when there were rejections of a SRC Report before or modifications, I did say in my contribution, I am not aware that those positions were taken against the background of a comprehensive House Committee Report on the matter.

**Hon. E. Mc Leod:** I did not intend to raise the heat under the hon. Leader of the Opposition's collar. I was seeking only to get information which would assist me, perhaps, in suggesting that, indeed—[*Interruption*] You are not satisfied with my asking the Leader of the Opposition—[*Crosstalk*] You see, Mr. Speaker, I was trying to assist the Member in the point that he made with regard to his Prime Minister, at those times, you know, exploiting—and I do not mean it in any negative way necessarily—the position that he occupied, and in which position, as a Member of the Parliament, he had company that helped to make up his own household, so that the emolument issue would have been different.

On this occasion, however, the Prime Minister did not just wake up one morning and decide to reject out of hand the recommendations of the SRC and the recommendations of the House Committee. No, it was the Cabinet that advised the Prime Minister on the work that had been done by both the SRC and the House Committee, and we collectively decided that we will take the approach, perhaps, of a conciliator, in which approach the conciliator is likely to identify the areas of least disagreement. So we looked at the SRC report, and we decided that we can go along, perhaps, with the meagre salary adjustments, and adjustments on allowances other than the diminution on motor vehicle and so on. You get my point?

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[HON. E. MC LEOD]

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But when we listen to the hon. Leader of the Opposition, Mr. Speaker, I think—and his has been in reasonably large measure, very compelling suggestions—that we need to look at the fact that the Salaries Review Commission has been there forever; 25 years perhaps—[*Interruption*]

**Mr. Imbert:** The members!

**Hon. E. McLeod:**—the Members of the Salaries Review Commission. Thank you very much—and, clearly, their work has not been as comprehensive as it ought to be, but we must also be mindful, Mr. Speaker, of the positions that we occupy as Members of this Parliament—responsible for the safe sailing of Trinidad and Tobago—and unlike the hon. Leader of the Opposition, I will suggest that instead of our seeing ourselves as management—and I understand that too—perhaps we should see ourselves as the board of directors of corporate Trinidad and Tobago and that as such board of directors, we have certain fiduciary responsibilities that would guide us to observing more the interest of corporate Trinidad and Tobago, rather than our individual or even collective interests as Members of the House of Representatives, and if you bear with me, you will see where I am going with that.

Mr. Speaker, I prefer to see the recommendations of the SRC as recommendations affecting more than just the Members of Parliament, and the Cabinet of Trinidad and Tobago. It is some 900 persons in offices who are affected by the fact that they all fall under the purview of the Salaries Review Commission, and the last time that these 900 persons received any adjustments at all in their salaries was 2005 and, incidentally, the report was brought to the Parliament on February 28, 2005, Carnival Friday.

**4.05 p.m.**

So I said that so as to suggest to the gullible ones outside there who are quick to jump at any suggestion that the Executive and the Members of Parliament should have their positions, their jobs, properly seen and have adjustments as appropriate to the positions that they hold and the responsibilities that they discharge, they will understand that we did not come to the Parliament on the eve of Carnival to make obscure the proposals that are before us. Not so at all, Mr. Speaker.

When we look at the measures recommended here, of course, everybody, every office holder, at whatever level of the society or organization that he finds himself, would like to have more. There is always the clamour for more, and I



think we have been able to justify what the Member for Laventille West has said.  
[*Interruption*]

**Hon. Member:** Diego Martin.

**Mr. Deyalsingh:** Diego Martin.

**Hon. E. Mc Leod:** Diego Martin. Why did I say Laventille West?  
[*Interruption*]

**Hon. Member:** It still on your mind.

**Hon. E. Mc Leod:** Yes, you. Mr. Speaker, so what we did was examine what has been happening with other workers. You would recall, Mr. Speaker, and hon. Members, that almost all of the workers and their bargaining units, and their collective bargaining processes had been in suspension—some of them, 2005, and the majority of them, 2007, 2008 to 2010. We were at great pains to deal with all of these outstanding collective agreements, but we have made great strides in settling the majority of them.

Indeed, at last count, some 75 collective agreements have been settled [*Desk thumping*] by this Government. But we did that against some serious constraints. There were economic problems, we were advised, that caused the hon. Prime Minister at that time to suspend, reject—whichever word you want to use—the recommendations of the Salaries Review Commission 2008/2009, [*Crosstalk*] because of what was happening globally.

**Mr. Imbert:** One question.

**Hon. E. Mc Leod:** You want me to give way?

**Mr. Imbert:** Yes. In view of the tenor of the Minister's contribution and the essence of what the Member for Oropouche East said, that because of economic considerations you have decided to accept these recommendations, more or less, words to that effect; could you explain what are the economic considerations that would cause you to approve a lower salary for the Commissioner of Police? Could you please explain that? [*Crosstalk*] It is a fact. [*Crosstalk*]

**Hon. E. Mc Leod:** That did not come before us.

**Mr. Imbert:** It is there. It is a lower salary.

**Hon. E. Mc Leod:** The recommendations of the Salaries Review Commission, you are saying, has put a salary that is lower than what was recommended in 2008/2009?

**Mr. Imbert:** Yes. Yes. [*Crosstalk*]

**Hon. E. Mc Leod:** I do not know whether the hon. Member for Diego Martin North/East had an opportunity to examine the recommendations made in 2008/2009, and to insist perhaps, as the hon. Leader of the Opposition is insisting today, that we should reject what the SRC has said and do our own thing. [*Crosstalk*] Essentially, that is what is being said.

If we were to just reject—and, Mr. Speaker, I do not think that any one of us is happy really with what has been recommended by the Salaries Review Commission. Okay. The SRC, Mr. Speaker, is a body that has foundation in the Constitution of Trinidad and Tobago. Yes. And do we just throw it out and adopt what a House Committee has said in which case then we can be accused of serving ourselves?

**Hon. Member:** But who will do it then?

**Hon. E. Mc Leod:** No! No! No! No! One has to be careful about that. One has to be careful about that.

**Mr. Speaker:** Hon. Member for Pointe-a-Pierre.

**Hon. E. Mc Leod:** Oh. Sorry.

**Mr. Speaker:** Please, let us not shout. You know this is an emotional debate. I know Members feel strongly about it, but hold your fire. Hold your fire and allow the hon. Minister to speak, please.

**Hon. E. Mc Leod:** I give way.

**Dr. Rowley:** Thank you. Mr. Speaker, I thank the Member for Pointe-a-Pierre for gracefully giving way to a question. Let me just clarify. I never said that we should throw out the SRC Report and replace it with the House Committee Report. What I am asking you now in the context of what I asked earlier on in the face of the House Committee recommendations, none of which finding favour with the Government, is it that against the arguments presented that the Government would be prepared to take on board any aspect of the recommendations of the House Committee? That is all I am asking.

**Hon. E. Mc Leod:** Yeah, Mr. Speaker, I read the House Committee Report again a while ago and as small as it might appear, Mr. Speaker, the House Committee is saying in its recommendations it is unjust to require parliamentarians to forego entitlements that they currently enjoy. The committee

therefore recommends the outright rejection of the proposal to place limits on the current entitlement of parliamentarians to duty, tax exemptions—and so on and so on, and so on.

Now, I was trying to make the point, Mr. Speaker, as to how one deals, in a process, how one deals with a situation in which you have two sides, yes, contending, okay. And you are asked now to intervene and see whether you can identify a basis on which there can be settlement on one aspect, on all aspects, so that you get closer to having elements of both sides coming together so that you can establish a measure of commonality and, certainly, the work of the SRC is not complete. Okay.

So I thought that we might want to consider, and it is being recommended very strongly that we take the salary increases. And a point is raised with regard to the Commissioner of Police and so on, and so on. Of course that is an anomaly. It is a serious anomaly. I would not want to say that the SRC is made up of mad people. I would not say that. [*Crosstalk*] I would not say that. Okay. [*Interruption*]

**Mr. Imbert:** When you were in OWTU you would have said that.

**Hon. E. McLeod:** When what?

**Mr. Imbert:** When you were in OWTU you would have said that. [*Laughter*]

**Hon. E. McLeod:** Mr. Speaker, I remember 2005 when the SRC Report was put on the table by the hon. Prime Minister at that time, and we had salary adjustments of 50 per cent for some people and 32 per cent for others, everybody else were between 32 and 50 per cent. I was very much OWTU at that time and I did not criticize it. [*Interruption*]

**Hon. Member:** The last good President General.

**Hon. E. McLeod:** Thank you very much. I did not criticize it out of hate or spite, or anything like that.

As a matter of fact, I reminded the national community then of my intervention in 1976, when soon after the elections in that year, the first measures that were brought to the Parliament were the emoluments of the President of the Republic—emoluments and pensions—that of Prime Minister and that of Chief Justice, and there were two-line Motions, Bills, whatever you call them, and they basically called for the President, Prime Minister, Chief Justice, on their demitting office, should receive pensions that were 100 per cent of salary. And there were

many who were opposed to that, but I had the courage and I stood up in the Parliament and I sought to identify at that time the importance of those offices and the sterling contributions which those office holders were making to the general way of life of the people of Trinidad and Tobago. And that those measures we had supported, and I did not take that position out of any Opposition parliamentary caucus either. Yes. Those positions were supportable and they were supported by me, and the entire House seemed to have fallen in love in the very principled position that was being taken there.

**4.20 p.m.**

I went on to say that everybody in the society should not necessarily be at that same level, but then we must pay attention to the fact that these three office holders are going to enjoy pensions, retirement benefits, on the basis of the country's ability to pay those benefits. And there were workers in the national community, who would largely be responsible for our being able to meet those benefits of those office holders, and we might want to look at the kinds of provisions that we have in place for them. Those who are on the oil rigs and so on, yes; those who are in the transmission and distribution of electricity and so on; those who are at the centre of our economic activity, to make the rest of us comfortable, yes, and that there should be equity insofar as that is concerned. I take that same position now.

Mr. Speaker, when these salary increases were made in 2005, we had negotiations going on, and a Minister in the Ministry of Finance—and I am not too inclined to call names of people—a Minister in the Ministry of Finance at that time, appeared on television on August 11 in that year and was very critical of the trade union leaders who were comparing the meagre adjustments that were being suggested—and the price of oil was good at that time—as against the 50 and 46 per cent increases that Members of Parliament and top office holders were receiving.

I still say today, that those persons in 2005 were perhaps entitled to even more than they got, but then we have to look at rearranging the way things happen in this country, the way things happen in this society. If over the past three, four years we have been having settlements of 9 per cent generally, and those persons who had settlements of 9 per cent in 2008/2011, had had increases of 15 per cent three years before that—2005/2008—15 and nine is 24, yes. [*Interruption*] Those persons' 24 per cent really was more than 24 per cent, because I ensured that there was COLA consolidation. The last time that I superintended outside of my present

occupation, I superintended the consolidation of COLA and then the application of 15 per cent. COLA had accumulated to between \$1,600 and \$2,000 per monthly paid person.

Mr. Speaker, today the general labourer in the organized energy sector makes about \$60, \$65 an hour; that is more than \$2,000 per week. So it is not that I am unfamiliar with that, but I am making the suggestion that given where we are as directors of corporate Trinidad and Tobago, we need to measure our actions in a manner that will not cause too much disruption in the place. [*Desk thumping*]

**Mr. Warner:** Minister, against the background of what you have just said, how then do you explain that the SRC will recommend for the Commissioner of Police, again, \$31,080, but for the President of Niherst \$31,950, and worst yet, [*Desk thumping*] for the Executive Director of OSHA, Occupational Health and Safety Agency, the Executive Director gets \$31,950? [*Crosstalk*] The Commissioner of Police, who has to answer the Police Service Commission, has 7,000 men under him. [*Crosstalk*] I will leave the balance for when I am talking, Mr. Speaker. But I ask you, please help me. How do you explain that?

**Hon. Member:** Explain that.

**Mr. Imbert:** You are a trade union man, explain that.

**Hon. E. Mc Leod:** Ha, ha, ha, ha.

**Mr. Imbert:** “No, ah not laughing. You are a trade union man, explain dat.”

**Hon. E. Mc Leod:** “So yuh doh want me to laugh?”

**Mr. Imbert:** “Ah hope yuh laughing at dem.”

**Hon. E. Mc Leod:** No, when I get comical questions, and I mean no offence—now the SRC’s Report is not Errol Mc Leod’s report; it is not the report of the Minister of Labour and Small and Micro Enterprise Development.

**Mr. Warner:** But it is supported by him.

**Hon. E. Mc Leod:** It is not the report of the Government of Trinidad and Tobago.

**Mr. Imbert:** You are supporting it.

**Mr. Speaker:** Please, Members, allow the hon. Minister to speak.

**Hon. E. Mc Leod:** Members would certainly wish to look at what these holders of these offices were receiving before this recommendation that increases their emoluments by some 20 or 24 per cent.

I made the point, Mr. Speaker, that one perhaps needs to overhaul our current arrangements. But I am suggesting that pending that happening—and we perhaps have to overhaul this whole Salaries Review Commission.

**Mr. Imbert:** Should abolish it!

**Hon. E. Mc Leod:** We perhaps have to do that. But what do we do in the meanwhile? What do we do in the meanwhile? We are looking for the more comfortable position that we can adopt, based on what is proposed by the House Committee, what has been suggested—what has been suggested by the SRC. [*Crosstalk and interruption*] I am saying that the House Committee suggests a retention—[*Crosstalk*]

**Miss Cox:** What happened to the medical?

**Mr. Speaker:** Members, allow the hon. Minister to speak in silence, please.

**Hon. E. Mc Leod:** As much as you might be on the periphery of their operations, you will never qualify as a trade unionist—watch it.

**Dr. Rowley:** I have good friends in there.

**Hon. E. Mc Leod:** Perhaps. [*Laughter*] Mr. Speaker, this is the position; this is what we are faced with.

**Mr. Deyalsingh:** So you are accepting craziness? [*Crosstalk*]

**Mr. Speaker:** Please, please, hon. Members.

**Hon. E. Mc Leod:** Mr. Speaker, you know I do not often ask for protection.

**Mr. Speaker:** Yes, well, you have my full protection. Members, allow the hon. Minister to speak in silence. [*Laughter and crosstalk*]

**Mr. Imbert:** President of Niherst, twice as much as an MP.

**Hon. E. Mc Leod:** You know, I am moved. I am very, very interested in the position taken by the SRC, and that being advocated by the House Committee on the question of Members of Parliament being full-time or part-time and so on. It has always been so—it has always been so, and I am not suggesting that it be left that way. But we made some important suggestions in the Standing Orders Committee Report, suggestions which certainly will impact the role of the Member of Parliament, the number of committees on which we will have to function—and I hope that it happens tomorrow. Perhaps when the job evaluation that clearly has been promised since 15 years now—[*Interruption*]

**Mr. Warner:** Before you were born.

**Hon. E. Mc Leod:** “Dat is a long time man, Jack.” [*Laughter and interruption*]

**Mr. Speaker:** Hon. Minister of Labour and Small and Micro Enterprise Development, I think the hon. Leader has a Motion that he would like to move.

#### ADJOURNMENT

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, I beg to move that this House do now adjourn to a date to be fixed.

#### Assistant Marshal Marlene Andrews (Retirement)

**Mr. Speaker:** Hon. Members, before putting the question to the House, I just want to draw to your attention and bring to the attention of this House the following statement. Today we pause to thank you, and that is, Mrs. Marlene Andrews on my right, Assistant Marshall of the both Houses, who proceeds on vacation leave prior to retirement on Monday, February 24, and will retire compulsorily from the public service effective April 09, 2014, after some 24 years of dedicated service to the Parliament. [*Desk thumping*]

Mrs. Andrews started her public service journey at the Office of the Parliament on January 08, 1990 as a Messenger 1.

Hon. Members, when you serve in this organization, the extremely long hours as we have been debating, together with days and nights away from family and loved ones, to my mind, epitomizes sacrifice for country which is unparalleled.

Mrs. Andrews has raised her family, pursued studies at the University of the West Indies and performed her duties with exception, and it is as a result of her tenacity that she was promoted to the position of Assistant Marshall of the both Houses of Parliament.

She also survived the attempted coup of 1990, and can tell you many interesting stories of the times she spent in the Office of the Parliament during those fateful days here, when the Parliament was invaded in 1990.

Mrs. Andrews, on behalf of all our Members, we say thank you for your selfless and dedicated service to our Parliament and, by extension, to the people of Trinidad and Tobago. May God richly bless you and your family, and I wish you every success as you begin this new chapter in your life. [*Desk thumping*] Thank you. [*Mrs. Andrews takes a bow*]

*Leave of Absence*

*Friday, February 21, 2014*

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, if I could revert to item 2 under “Announcements”. I have received communication from the hon. Prime Minister, the Member of Parliament for Siparia, indicating to me that she would like to be excused from today’s sitting of the House of Representatives. The leave which the Member seeks is granted.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 4.34 p.m.*