



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

3rd Session - 11th Parliament (Rep.) - Volume 18 - Number 37

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE ANNISLETTE-GEORGE
SPEAKER

THE HONOURABLE ESMOND FORDE
DEPUTY SPEAKER

Monday 28th May, 2018

CLERK OF THE HOUSE: JACQUI SAMPSON-MEIGUEL

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*Leave of Absence**Monday, May 28, 2018***HOUSE OF REPRESENTATIVES***Monday, May 28, 2018*

The House met at 1.30 p.m.

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

Mr. Deputy Speaker: Hon. Members, Mr Prakash Ramadhar, MP, Member for St. Augustine and Mr. Ganga Singh, MP, Member for Chaguanas West, have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Consolidated Financial Statements of the Petroleum Company of Trinidad and Tobago Limited for the year ended September 30, 2017. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Audited Financial Statements of Trinidad Nitrogen Company Limited for the year ended December 31, 2017. [*Hon. C. Imbert*]
Papers 1 and 2 to be referred to the Public Accounts (Enterprises) Committee.
3. One Hundred and Seventh Report of the Salaries Review Commission of the Republic of Trinidad and Tobago in relation to the Office of Director, Maritime Services, Ministry of Works and Transport. [*The Minister of Public Administration and Communications (Hon. Marlene Mc Donald)*]
4. Response of the Public Service Commission to the Seventh Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into the Efficiency and Effectiveness of the Public Service Commission. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]

URGENT QUESTION

**Sentencing in Cocaine Case
(Appeal by the State)**

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to the Attorney General: With respect to public concerns raised regarding the questionable sentencing of an individual involved in the seizure of \$1.56 million worth of cocaine, could the Attorney General indicate whether the State has appealed the decision?

Urgent Question

Monday, May 28, 2018

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Mr. Deputy Speaker, there has been no appeal, at this time.

ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Mr. Deputy Speaker, there are nine oral questions. We will be answering five, and we kindly ask for a two-week deferral of questions 230, 234, 235 and 245. [*Crosstalk*] I would repeat.

Mr. Deputy Speaker: Go ahead.

Hon. C. Robinson-Regis: There are nine oral questions. We will be answering five. We are asking for a two-week deferral of questions 230, 234, 235 and 245.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper:

T&T Spirit and T&T Express
(Details of)

230. With regard to the Trinidad and Tobago *Spirit* and Trinidad and Tobago *Express*, could the Minister state:

- a) the total amount spent on vessel repairs since May 2017;
- b) the total number of days each vessel was out of service since May 2017; and
- c) the companies/contractors who were engaged to undertake repairs to these vessels? [*Mr. R. Charles*]

TTPS Utilization of Machines
(Details of)

234. Does the Trinidad and Tobago Police Service (TTPS) utilize machines to assist in criminal background checks and if so, could the Minister state:

- a) how many such machines does the TTPS possess;
- b) how many of these machines are currently functional;
- c) whether there is a maintenance schedule for such machines; and
- d) the parties responsible for the maintenance and repairs of such machines? [*Mr. R. Charles*]

**Small Business Incentive Programme
(Update on)**

- 235.** Could the Minister provide an update on the Small Business Incentive Programme as announced in the 2018 Budget Presentation? [*Mr. R. Charles*]

**CourtPay Service
(Details of)**

- 245.** With regard to the recently launched online CourtPay service, could the Minister indicate:
- a) the cost of setting up this initiative; and
 - b) the number of persons who have accessed this service to date? [*Mrs. V. Gayadeen-Gopeesingh*]

Questions, by leave, deferred.

**Gramaxone Herbicide
(Ban on)**

- 243. Mrs. Vidia Gayadeen-Gopeesingh** (*Oropouche West*) asked the hon. Minister of Agriculture, Land and Fisheries:

Could the Minister indicate whether it is the Government's intention to impose any bans on the importation and distribution of the Gramaxone herbicide, in light of its dangerous chemical effects and use in suicides in Trinidad and Tobago?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Mr. Deputy Speaker, in Trinidad and Tobago, paraquat is commonly referred to as Gramaxone. Gramaxone is one of 16 brand-name herbicides sold in Trinidad and Tobago containing paraquat as an active ingredient. These trade names include Sunquat, Raze, Gramaxone Super, Wopro Super and Weedless.

Information published by the Pesticides and Toxic Chemicals Control Board states that paraquat is a contact, non-selective herbicide, used locally since its registration in 1989. It is used in agriculture to control a wide range of broadleaf weeds, grasses and as a defoliant. At the same time, paraquat is reportedly used in over 40 per cent of suicides in Trinidad and Tobago. For this reason, among others, the local Pesticides and Toxic Chemicals Act and Regulations

include an additional requirement in line with international standards, for paraquat to be stented, and for an emetic to be added to its ingredients before registration by the board.

In addition, premises licensed by the board for the sale of paraquat must keep a register of sales and purchases, including the basic information on the purchaser. As a class-one pesticide, paraquat must be displayed in a secured place to which the public has no free access.

Mr. Deputy Speaker, the banning of the importation and distribution of Gramaxone is primarily a matter for the Pesticides and Toxic Chemicals Board, established under section 3 of the Pesticides and Toxic Chemicals Act. That board, chaired by the Chief Medical Officer, has the responsibility under section 4 of the Act to deal with all matters relating to the importation, registration and licensing of pesticides and toxic chemicals, like Gramaxone, and the cancellation of such registrations and licences in circumstances where the board deems it fit to do so. Mr. Deputy Speaker, I am advised that this matter is currently being considered by the Pesticides and Toxic Chemicals Board, established under the Act. I thank you.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, are you aware that 38 countries in the world have banned this product and it cannot be decomposed? In fact, the by-product is 1,000 times greater than the chemical itself.

Sen. The Hon. C. Rambharat: Mr. Deputy Speaker, I am aware of a lot of matters, and I repeat, this is a matter for the Pesticides and Toxic Chemicals Board established under the law, and I am advised that this matter is currently being considered by the board.

Dr. Gopeesingh: Under whose jurisdiction does the Pesticides and Toxic Chemicals Board rest? Is it the Minister, your Ministry or the Ministry whose—for the Chief Medical Officer?

Sen. The Hon. C. Rambharat: Mr. Deputy Speaker, I am sure that my colleague knows that the responsibility under the Act resides with the Minister of Health, the line responsibility. But the matter of a decision rests with the Pesticides and Toxic Chemicals Board, as I have said on two previous occasions.

Mr. Deputy Speaker: Only two questions are allowed, Member. I now proceed to the Member for Oropouche West, question 244.

**Poaching of Scarlet Ibis
(Details of)**

244. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Agriculture, Land and Fisheries:

With regard to increased reports of the poaching of the Scarlet Ibis, could the Minister indicate:

- a) the number of poaching reports received for the period January 2017 to March 2018;
- b) whether any persons were apprehended or fined for the period January 2017 to March 2018; and
- c) the measures in place to protect the national bird?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you very much, Mr. Deputy Speaker. In response to part (a) of the question, 13 poaching reports were received between January 2017 and March 2018.

With regard to part (b) of the question, a total of 21 persons were apprehended during the same period, with seven charged a total of \$6,000. Three persons have their matters ongoing in the court, while 11 persons have been cautioned.

In response to part (c), the most important measure taken for the protection of the Scarlet Ibis is the declaration of the bird as an environmentally sensitive species under the Environmental Management Act. Other measures include programmes to educate the public about the protection measures in place for the Scarlet Ibis, and the importance of the Ibis to biodiversity, conservation and economic activity in and around the Caroni Bird Sanctuary.

Two, increased resources directed to law enforcement at the nesting and roosting areas. Three, increased inter-agency collaboration and operational activity, particularly with the coast guard, the EMA, Zoological Society of Trinidad and Tobago, Ministry of Rural Development and Local Government, Ministry of Tourism and other community stakeholder groups, including tour operators and, finally, advanced work with the FAO to strengthen protected areas management systems in the country, an improved capacity building in the Forestry Division and the communities around the Caroni Bird Sanctuary. Mr. Deputy Speaker, I thank you. [*Desk thumping*]

Mr. Deputy Speaker: Just to clarify an earlier statement, it is four supplemental questions that are allowed on Questions on Notice. So, for the records—

Dr. Moonilal: The Member for Caroni East wants to go back.

Mr. Deputy Speaker: Seeing that I brought it back on the table, go ahead, Member for Caroni East.

Gramaxone Herbicide (Ban on)

Dr. Gopeesingh: Thank you very much, Mr. Deputy Speaker. I am grateful for the opportunity. [*Desk thumping*] Hon. Minister, based on what you just said about the Chief Medical Officer being responsible for the pesticides and control area, would you be willing to discuss with your colleague, the Minister of Health, to set a policy for the cessation of the import of that?

Sen. The Hon. C. Rambharat: Mr. Deputy Speaker, as my friend knows, having sat on a Cabinet and served in a Government, it is for the Pesticides and Toxic Chemicals Board established under the Act to make appropriate recommendations to its line Minister, for the line Minister to make appropriate recommendations to the Cabinet to give consideration to the recommendations and, if necessary, for the appropriate Minister to bring legislation to the Parliament if that becomes necessary. Thank you.

Dr. Gopeesingh: So, Minister, are you telling us that the tail is wagging the dog [*Desk thumping and laughter*] and the Minister has to wait—

Mr. Deputy Speaker: Hold on Minister of Agriculture, Land and Fisheries, he has 15 seconds.

Dr. Gopeesingh: Can you not direct the pesticides control department to investigate and bring a matter to you for consideration?

Sen. The Hon. C. Rambharat: Mr. Deputy Speaker, as I said earlier, Gramaxone was first registered in Trinidad and Tobago in 1989. As my friend is well aware, as this dog that he refers to has been growing, he had 10 years or more to deal with it. And, as I said from the outset, the matter is currently being considered by the board which has responsibility to deal with this matter. That is how it works, Mr. Deputy Speaker. The board deals with it and refers the matter to the Executive.

Mr. Deputy Speaker: Any supplemental for question 244?

**Poaching of Scarlet Ibis
(Details of)**

Mrs. Gayadeen-Gopeesingh: Yes, hon. Minister. The fine for the offence of poaching I believe it is \$1,000. Are there any plans to increase this fine?

Sen. The Hon. C. Rambharat: Mr. Deputy Speaker, it is well known—and we are currently in the 30-day period—the final stage which expires on June 22, 2018 which deals with the period in which the public has a final opportunity to comment and, after that, the Scarlet Ibis will officially be declared an environmentally sensitive species for which the fine is \$100,000. [*Desk thumping*]

**Food and Drugs Division
(Number of Applications Pending)**

247. Dr. Lackram Bodoë (Fyzabad) asked the hon. Minister of Health:

Could the Minister indicate:

- a) the number of applications for drug registrations that are currently pending at the Food and Drugs Division, Ministry of Health; and
- b) the product(s) and application date(s) for each application listed in part (a)?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. The answer to part (a) is 258. The answer to part (b), the products and application dates for each application are as follows:

January 2013	GNC Triple Strength Fish Oil Plus Co-Q10
January 2013	Pantonex DR-20
January 2013	Pantonex DR-40
January 2013	Imalex tablets 100 mg
January 2013	Imalex tablets 400 mg
January 2013	Moxiflag Eye Drops Ophthalmic Solution USP (0.5% w/v)
January 2013	Indostatin 40 or (Simvastatin 40 mg Tablets)
January 2013	Lignox 2% or (Lidocain Injection BP)

January 2013	Metchek or (Metformin Tablets BP 850 mg)
January 2013	Flexilor P Tablets 4 mg and 500 mg
January 2013	Flexilor P8 Tablets 8 mg and 500 mg
January 2013	Flexilor SR Tablets 16 mg
January 2013	Mofloren Ophthalmic Solution 5 ml or (Moxifloxacin ophthalmic solution USP)
January 2013	NEMOCID Oral Suspension 5 mg
June 2013	Deprevix 75 mg Modified release tablets
June 2013	Fluphenazine Decanoate Injection BP 25 mg/ml
June 2013	Xafen Tablets 120 mg
June 2013	Xafen Tablets 180 mg
June 2013	Verasol or (Verapimil Injection USP 5 mg/2 ml)
June 2013	Cordasol
June 2013	Naloxone Hydrochloride Injection USP 0.4 mg/ml, 1 ml Ampoule
June 2013	Yasnal Q-Tab 5 mg
June 2013	Yasnal Q-Tab 10 mg
June 2013	Cipronir or Injection 2 mg/ml
June 2013	Metronir Injection Solution for Infusion 5 mg/ml
June 2013	Levonir Solution for Infusion 5 mg/ml
June 2013	Relcer Gel - Mango 180 ml
June 2013	Relcer Gel – Strawberry 180 ml

June 2013	Emanera 20 mg Gastro Resistant Tablets
June 2013	Emanera 40 mg Gastro Resistant Tablets
June 2013	Oxytocin Injection BP 10IU/ml
June 2013	Anzavir-R Tablets 300 mg/100 mg
June 2013	Ritanovir Tablets 100 mg
June 2013	Abacavir Sulfate Tablets 60 mg
June 2013	Abacavir Sulfate Tablets 60 mg/30 mg
June 2013	Glevo I. V. Solution for Intravenous Infusion 500 mg/100 ml
June 2013	Aciclovir Solution for Intravenous Infusion BP 250 mg
June 2013	Adenosine Injection USP 12 mg per 4 ml
June 2013	Vancip-500 tablets
June 2013	IXMU Eye Drops
June 2013	Genvir-500

Mr. Deputy Speaker: Hon. Member, your time has expired.

Hon. T. Deyalsingh: Thank you very much, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: Okay. Supplemental. Member for Fyzabad.

Dr. Bodo: Thank you very much, Minister, for that very comprehensive response. I just wanted to get the broad picture. There are 258 drugs, and I gather that the average time for registration is about five years coming forward, including some very important drugs. Minister can you indicate, perhaps, what might be the reasons for this?

Hon. T. Deyalsingh: Thank you. Mr. Deputy Speaker, it is embarrassing for the Member for Fyzabad not to have checked with the Member for Barataria/San Juan. You see, the Member for Barataria/San Juan is laughing. Between 2013 and

2015, when you were in office, there was a backlog of 629 items. The backlog is now 258 [*Desk thumping*] because this Minister of Health cleared 401. Your administration had no interest in registering new drugs, absolutely none.

As a matter of fact, I came to the Parliament one day with 400 certificates to sign off from 2012, and Minister Young was asking me, what are you doing? I said, “I am clearing off the backlog of 401 drugs from 2012.” That was the backlog you left behind hon. Member for Fyzabad, because your administration had no interest in the health agenda. Your only solution to health was to build a children’s hospital. [*Desk thumping*] You had absolutely no interest, and we are clearing the backlog.

And of the 258 outstanding, 100 of that 258 have already been read and will go to the Drug Advisory Committee in June of this year; 158 are being read and would go the Drug Advisory Committee in July of this year. So by July of this year, the backlog which you left of 601 will be cleared off. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Member, your time has expired. Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you Minister. I noted that one very important drug for the treatment of postpartum haemorrhage, Oxytocin BSP, is still to be approved. Can you shed some light on that?

Hon. T. Deyalsingh: As you fully well know—[*Crosstalk*]

Mr. Deputy Speaker: Member—one sec. Members, I would like to hear the response of the Minister, and I would also like to hear the questions. Proceed, Minister of Health.

Hon. T. Deyalsingh: As you fully well know, there are other brands of oxytocin on the market. This is just another brand of the same drug. So, for instance, I would have called out Nemocid Oral Suspension. It does not mean to say there is no Nemocid on the market. These are different brands or different generics of drugs already on the market.

So I am quite surprised, as an obstetrician of some repute, you are claiming that there is no Oxytocin registered for this market. There is. Why are you asking these irrelevant questions and you could have checked and saved the Member for Baratara/San Juan the embarrassment of having read out into the *Hansard* the total indifference to not having drugs registered from 2012, which we are now doing, and let me repeat.

There was a 629 backlog from 2013 to 2015. We have cleared off 401. Of the 258 to be cleared, 100 of those have already been read. They will go to the Drug Advisory Committee in June of this year. The other 158 are being read and will go to the Drug Advisory Committee in July of this year. So by July of this year, this administration would have cleared off the entire backlog left behind by your good selves. [*Desk thumping*]

Dr. Bodoë: Thank you very much, Minister. Minister, this question arose because of the issue with the fake drugs. Can you, perhaps, link what impact this is having? You did mention in an article that was an issue with the fake drugs and the registration of drugs. Can you shed some light on that?

Hon. T. Deyalsingh: The issue of fake drug is multifaceted. One of the reasons is that when the private sector cannot get their drugs registered in a timely fashion, what will they do? They would bring in drugs which are unregistered. If you had done your work between 2012 and 2015 to register these drugs, maybe the problem may not have been this big, but the issue of fake drugs has to be encapsulated with the whole issue of unregistered drugs, and there is another question being posed here today.

So I want to reiterate, this administration, by July of this year, would have cleared off the backlog of 601 unregistered drugs, because we have a functioning Drug Advisory Committee. I would advise the Member to please check with the Member for Barataria/San Juan before your ask these embarrassing questions. [*Crosstalk*]

Food and Drugs Division (Unregistered Drugs)

248. Dr. Lackram Bodoë (Fyzabad) asked the hon. Minister of Health:

Could the Minister indicate whether there are drugs at the nation's public health institutions that were not registered by the Food and Drugs Division, Ministry of Health?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. In some instances, the drugs may be not registered, but are obtained through sources such as the Pan American Health Organization (PAHO) Strategic Fund. Drugs acquired through this source are on the PAHO/WHO prequalified list of medicines and are used internationally, such as medications for tuberculosis, HIV and malaria.

In other instances, the Ministry of Health acquires drugs that may not be registered locally but they have been validated by international agencies such as the United States of America, Food and Drug Administration and the European

Union. In all instances, pharmacovigilance is practised to allow for the reporting of adverse events in the use and possible recall of all pharmaceuticals by the Food and Drugs Division and the Chief Medical Officer, Ministry of Health. Thank you very much, Mr. Deputy Speaker.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you Minister for that answer. I was just wondering whether the drug Duratocin which is now used—

Hon. T. Deyalsingh: The drug what?

Dr. Bodoë: Duratocin, which is now being used for postpartum haemorrhage, whether that is getting consideration for registration or whether it has been registered. I do not know if you will be in a position to answer that.

Hon. T. Deyalsingh: Mr. Deputy Speaker, all drugs, as I have said, we inherited a backlog of 629 drugs to be registered. It is possible that is one. That is under the aegis of the Chief Medical Officer. But, Mr. Deputy Speaker, the issue of the use of unregistered drugs locally in the public health system has been going on for decades, especially in the case of malaria. That has been going on for over 20 years.

I must also put on the record that many countries, out of the doctrine of necessity and for public health, may use at their discretion drugs which are not registered or which are experimental. For example, right now, in the Democratic Republic of Congo, they are using an experimental Ebola vaccine which has not undergone any serious clinical trials to save lives. That vaccine is called rVSR-ZEBOV Ebola vaccine. So very often, countries out of the doctrine of necessity, and to protect public health will make a decision to use an unregistered drug on a local population. I thank you very much, Mr. Deputy Speaker. [*Desk thumping*]

2.00 p.m.

Mr. Deputy Speaker: Supplemental, Member for Fyzabad.

Dr. Bodoë: Thank you, Minister. So in that situation you are saying that the RHAs, for example, cannot use that as an excuse for not purchasing such drugs? In the situation where the drugs are necessary the RHAs will not be in a position to use the excuse of not being registered to get those drugs available?

Hon. T. Deyalsingh: The RHAs would go through the Chief Medical Officer to get his advice.

**Children's Life Fund
(Details of)**

249. Dr. Lackram Bodoë (*Fyzabad*) asked the hon. Minister of Health:

Could the Minister indicate:

- a) the annual number of successful applicants of the Children's Life Fund from its inception to date; and
- b) the list of medical conditions which were granted approval by the Children's Life Fund from its inception to date?

Mr. Deputy Speaker: The Minister of Health.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. The answer to part (a), the annual number of successful applicants for the Children's Life Fund from its inception to date is as follows: 2010, 13; 2011, 38; 2012, 20; 2013, 38; 2014, 28; 2015, 34; 2016, 40; 2017, 31; and to April of 2018, 12, giving you a total of 252.

The list of medical conditions which were granted approval from the Children's Life Fund from its inception to date include: open heart surgical repair, kidney transplant, liver transplant, acute lymphoblastic leukaemia, Apert syndrome, retinoblastoma, neurofibromatosis, vesico rectal fistula, Gaucher's disease, oesophageal atresia. Thank you very much, Mr. Deputy Speaker.

Mr. Hinds: And Mickela Panday.

Mrs. Kamla Persad-Bissessar SC: Mariano Browne.

Mr. Deputy Speaker: Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to the hon. Minister—[*Crosstalk*]

Mr. Deputy Speaker: Member, hold on. Members, please, it is early in the sitting and, again, I will not tolerate the crosstalk on both sides between the Member for Siparia and the Member for Laventille West, please. I recognize the Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to the hon. Minister, in light of the recent call to review the Children's Life Fund legislation by the Leader of the Opposition with a view of reviewing the conditions that meet the criteria presently, could the Minister indicate whether this call is being considered by the Ministry and the Cabinet in light of several children who are affected with conditions that are not included?

Hon. Member: Why are you reading the question?

Mr. Padarath: And what happen in reading the question? [*Crosstalk*]

Mr. Deputy Speaker: Listen, Members, the decorum of the House has to be maintained, no two ways about it, Members, it has to be maintained. Right? I recognize the Member for Princes Town, the Member for Princes Town's question. Have your seat and then I will proceed to get your question answered. The crosstalk, let us avoid it especially in loud overtones. So I recognize the Minister of Health.

Hon. T. Deyalsingh: Thank you very much, Mr. Deputy Speaker. In direct answer to my colleague's question, the Children's Life Fund was set up to give children who have life-threatening conditions an opportunity at life. The Children's Life Fund legislation as currently constructed gives all children born with life-threatening conditions, life-threatening problems a chance of life. If it is you want to include non-life-threatening conditions it opens a Pandora's box and then the very children who you want to save with life-threatening conditions—and the Member for Fyzabad is nodding his head in agreement. If you do what you are suggesting, the fund will be depleted in treating non-life-threatening conditions. And the Member for Fyzabad is in full agreement with me. Thank you very much.

Mr. Deputy Speaker: Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. To the hon. Minister: Hon. Minister, I am not sure if you are aware, but several RHA doctors have written and provided information with respect to recommendations of other conditions that do not fit the criteria presently by the Children's Life Fund legislation, and having identified those conditions by your own RHA doctors—

Mr. Deputy Speaker: Question please.

Mr. Padarath:—could you indicate whether or not there is going to be a review of this process? That is all I am simply asking.

Mr. Deputy Speaker: Minister of Health.

Hon. T. Deyalsingh: Mr. Deputy Speaker, I think the Member for Fyzabad and myself are in agreement with this. If you open up the Children's Life Fund—because he was nodding in agreement when I am saying—if you open up the Children's Life Fund to non-threatening conditions, the very children that you want to save when the funds are depleted may not have an opportunity currently

being given by the Children's Life Fund. We have to be careful how we open a Pandora's box which we cannot manage and control. I thank you very much, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. To the hon. Minister: Hon. Minister, are you then saying that you do not agree with several of these RHA doctors that there are conditions that are life-threatening that do not fall in the current ambit of the present legislation, and they have written recommendations to this effect under your tenure?

Mr. Deputy Speaker: Minister of Health.

Hon. T. Deyalsingh: Mr. Deputy Speaker, the Act speaks to life-threatening conditions, and my friend just admitted if they are life-threatening they will receive the consideration and the necessary funding. You are contradicting your own self. Once the condition is deemed life-threatening by the clinical team, by the Life Fund as set up under the Act, the children will in fact receive funding.

When you look at the *Hansard* and look at the intention of Parliament and reflect on *Pepper v Hart*, the *Hansard* speaks to surgeries, procedures, and that is what is deemed to be saving a child with a life-threatening condition. And the very children that we are saving now—I will repeat it again—if you make the fund way too broad the funding will be depleted, and the very children who have a life-threatening condition that you may want to save you may not have the funding to do so. And may I also add that this fund is funded directly by the taxpayer of this country, and the taxpayer demands some accountability. [*Crosstalk*]

Mr. Deputy Speaker: Silence.

Hon. T. Deyalsingh: So we will continue to use this fund according to the Act, the spirit and law of this Act for life-threatening conditions. And I am being asked how much I have contributed; do you know how much my friends have contributed since they have gone into Opposition? None. They were only concerned—[*Crosstalk*]

Mr. Deputy Speaker: Silence.

Hon. T. Deyalsingh:—while they were in Government, for PR use, but once they go into Opposition they have contributed zero dollars and zero cents to the Children's Life Fund. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Princes Town.

Mr. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, seeing that the hon. Minister for St. Joseph has admitted himself that he has not contributed to the Life Fund, or any of their own members—

Mr. Deputy Speaker: Question.

Mr. Padarath:—the question remains, Mr. Deputy Speaker—Mr. Deputy Speaker, the question remains, is the Minister indicating that he does not agree with medical doctors in this country who belong to the RHA that there are conditions that affect children, several children, that are life-threatening but do not fall within ambit and therefore there needs to be a review? [*Interruption*] The Member for St. Joseph is not a doctor.

Mr. Deputy Speaker: Member, I will not entertain that question. I will not entertain that question.

**TAX INFORMATION EXCHANGE
AGREEMENTS BILL, 2018**

Bill to make provision for the implementation of agreements between Trinidad and Tobago and other States providing for the exchange of information for the purposes of taxation, and for related purposes [*The Minister of Finance*]; read the first time.

Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy Speaker. I beg to move that in accordance with Standing Order 64(1)(c), the Tax Information Exchange Agreements Bill, 2018, be referred to the Joint Select Committee established for the consideration and report on the Income Tax (Amdt.) Bill, 2018, and the Mutual Administrative Assistance in Tax Matters Bill, 2018.

Question put and agreed to.

**JOINT SELECT COMMITTEES
(APPOINTMENT OF)**

TRINIDAD AND TOBAGO REVENUE AUTHORITY BILL, 2018

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Mr. Deputy Speaker. Mr. Deputy Speaker, subject to the concurrence of the Senate, I beg to move that this House appoint the following six Members to sit with an equal number from the Senate on the Joint

Select Committee established to consider and report on the Trinidad and Tobago Revenue Authority Bill, 2018:

Mr. Colm Imbert
 Mr. Faris Al-Rawi
 Mr. Terrence Deyalsingh
 Mr. Adrian Leonce
 Mr. Barry Padarath
 Mr. Rudranath Indarsingh

I also ask that the committee be mandated to report by July 31, 2018. Thank you very kindly, Mr. Deputy Speaker.

Question put and agreed to.

**INCOME TAX AMENDMENT BILL, 2018
 MUTUAL ADMINISTRATIVE ASSISTANCE IN TAX
 MATTERS BILL, 2018 AND TAX INFORMATION EXCHANGE
 AGREEMENTS BILL, 2018**

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Mr. Deputy Speaker. Mr. Deputy Speaker, subject to the concurrence of the Senate, I beg to move that this House appoint the following six Members to sit with an equal number from the Senate on the Joint Select Committee established to consider and report on the Income Tax Amendment Bill, 2018, the Mutual Administrative Assistance in Tax Matters Bill, 2018, and the Tax Information Exchange Agreements Bill, 2018:

Mr. Colm Imbert
 Mr. Faris Al-Rawi
 Ms. Marlene Mc Donald
 Dr. Lovell Francis
 Mr. Fazal Karim
 Mr. Rodney Charles

I also move that the committee be mandated to report by June 30, 2018. Thank you very kindly, Mr. Deputy Speaker.

Question put and agreed to.

VALUATION OF LAND (AMDT.) BILL, 2018

(Senate Amendments)

The Acting Prime Minister, Minister of Finance and Acting Minister of Housing and Urban Development (Hon. Colm Imbert): Mr. Deputy Speaker, I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Valuation of Land (Amdt.) Bill, 2018, listed in Appendix I be now considered.

Question proposed.

Question put and agreed to.

Mr. Deputy Speaker: Members, is it the wish of the House that the items be taken one by one, or could we take it as—what is the wish of the House, Leader of the House and Chief Whip?

Hon. Member: One by one.

Mr. Deputy Speaker: So that is the wish, one by one.

Mrs. Robinson-Regis: It does not matter.

Clause 5.

Senate amendment read as follows:

Delete subsection (5) and substitute with the following:

“(5) The Minister may by Order, subject to negative resolution of Parliament, amend Schedule II.”.

Mr. Deputy Speaker: Hon. Members, for the records, again, we will be dealing specifically with each particular clause. Right? We will not be wavering too much to the left or too much to the right as we go along. So as the Speaker I will determine as we go along, so let us be very specific with the particular clause. Leader of the House, and also Chief Whip, proceed. The Minister of Finance.

Mr. Imbert: Mr. Deputy Speaker, I beg to move that this House agree with the Senate in the amendment to clause 5, and the amendment reads as follows:

Delete subsection (5) and substitute with the following:

“(5) The Minister may by Order, subject to negative resolution of Parliament, amend Schedule II.”.

Now, the original subsection (5) simply said—the original subsection (5) originally said:

“The Minister may by Order amend the Schedule.”

And we on this side felt that any amendments to this Schedule should have some level of parliamentary scrutiny, so that we amended, with the concurrence of the Senate, this particular clause to allow instead of the Minister simply having the power to issue an order without parliamentary oversight to amend the Schedule, Schedule II, that this would now be subject to negative resolution of Parliament. And let me say what Schedule II is; Schedule II is simply the return required under section 6 of the Valuation of Land Act, which has in it personal information with respect to a property owner, general information in terms of the location of the property, its address, when was it purchased, whether it was the subject of a deed, a title deed, and what type of building it is, residential, et cetera, commercial, industrial.

So Schedule II is simply the information in the return that property owners are required to submit to the Commissioner of Valuations. And the Bill that was passed in the House simply gave the Minister the power to amend this Schedule with the information on the property without any parliamentary oversight, and we felt that this should be laid in Parliament so that if hon. Members opposite felt that there was need to debate it they would file the usual Motion and we would have a debate on it. I thank you, Mr. Deputy Speaker. I beg to move. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: Member for Siparia. [*Desk thumping*]

Mrs. Persad-Bissessar SC: Thank you very much, Mr. Deputy Speaker. The amendment is a good one to give parliamentary scrutiny. We would have preferred that you had an affirmative resolution instead of a negative resolution. I doubt you would consider that; I know it was raised in the Senate, but this is an improvement from what was there before. [*Desk thumping*]

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much. In fact, this was a consensus arrived at between myself and the goodly Leader of Opposition Business in the Senate, Sen. Wade Mark, and I accept what you say, but it is definitely an improvement. I beg to move.

Question put and agreed to.

Clause 6.

Senate amendment read as follows:

A. Delete proposed new section 7 and substitute with the following:

“7. Where the owner of land in Trinidad and Tobago makes a return of land under section 6 and the Commissioner is of the opinion on the basis of that return that the land carries an annual rental value of less than eighteen thousand dollars, he shall record the annual rental value as eighteen thousand dollars.”

B. Delete proposed new section 7A (1) and substitute with the following:

“7A. (1) Where the Commissioner is of the view that more than fifty per cent of all land in Trinidad and Tobago has been valued and that the valuations should take effect, he shall notify the Minister in writing.”

Mr. Deputy Speaker: The Minister of Finance.

Mr. Imbert: Thank you, Mr. Deputy Speaker. I beg to move that this House agree with the Senate in the amendments to clause 6. And, essentially, in the amendments to clause 6 we are deleting what is in the Bill and substituting it with a new version, but the operational or effective words in this are the words, in writing. So if one goes to 7A:

“Where the Commissioner is of the view that more than fifty percent of all land in Trinidad and Tobago has been valued and that the valuations should take effect, he shall notify the Minister in writing.”

In the previous version, the version that was passed in the House, it read as follows:

“Where the Commissioner is of the view that more than fifty per cent of all land in Trinidad and Tobago has been valued and that the valuations should take effect, he shall notify the Minister.”

But there was no proper way to notify the Minister so we have now decided to add, for the avoidance of doubt that the Commissioner would notify the Minister, once 50 per cent of the land has been valued, in writing, and basically that is it. With respect to the section 7 itself, what this would mean, with an annual rental value of \$18,000 the property tax would be somewhere in the vicinity of about \$35 a month; somewhere around there. That is the effect. That would be the minimum property tax payable. It will be \$35 per month. I beg to move.

Question proposed.

Mr. Deputy Speaker: Member for Caroni Central.

Dr. Tewarie: Mr. Deputy Speaker, on this particular matter having to do with the determination of 50 per cent of landownership being covered by the legislation and therefore triggering the taxes, is the Minister of Finance aware that there is a United Nations report which indicates that 25 per cent of the landownership in this country is in contest because of squatters, first of all, and these are both on public and private lands? And is he also aware that same report indicates that 50 per cent of the owners of land in the country do not have their titles finalized? What this means is that in a country of 450,000 households you have 25 per cent of that perhaps under the ownership—not ownership, but under the occupation of squatters—

Mr. Imbert: Mr. Deputy Speaker, I hate to do this, Standing Order 48(1). The only change we have made to the Bill is that it is in writing. So the only thing we should be debating is whether the notification to the Minister should be in writing or not in writing, not the other part of it, not the substantive Bill, which is what the hon. Member is doing.

Dr. Tewarie: No. But the question would be, Mr. Deputy Speaker, whether this is determined by the Minister, as it was in the original Bill, or whether it is now determined on a recommendation by the Commissioner of State Lands—

Mr. Imbert: Mr. Deputy Speaker, 48(1), the only change is the words, “in writing”. It has nothing to do with the parent Act or the amendment Bill. It is simply to add the words, “in writing”; 48(1), Mr. Deputy Speaker.

Mr. Deputy Speaker: Okay. Member for Caroni Central, right, you started your discourse, right, I want to know exactly where you are heading to in order to determine exactly based on the point being raised by the Minister of Finance. So I want you to tie it in quickly in order to determine whether it is that you are relevant or whether you will be irrelevant. Right? So tie it in quickly for me, please.

Dr. Tewarie: Thank you very much, Mr. Deputy Speaker. What I am concerned about is: What is the whole out of which 50 per cent is going to be determined in order to put this in writing?

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker. I do not think the hon. Member followed what I was saying. The only change—and I will just read the two forms, 7A(1):

“Where the Commissioner is of the view that more than fifty per cent of all land in Trinidad and Tobago has been valued and that the valuations should take effect, he shall notify the Minister.”

So it is not the Minister is notifying anybody, it is the Commissioner is notifying the Minister, and all this amendment seeks to do is to make sure that when the Commissioner notifies the Minister he does so in writing. So the only thing we can debate is whether it should be in writing or should not be in writing. I beg to move.

Question put and agreed to.

Clause 13.

Senate amendments read as follows:

A. Delete Clause 13 and substitute the following:

“13. Section 21 of the Act is amended –

(a) by deleting the words “Tax Appeal Board” wherever they occur and substituting the words “Valuation Tribunal”; and

(b) by inserting after subsection (2), the following new subsection:

“(3) Upon application by an owner or local authority for an extension of time to give Notice of Appeal under subsection (1), the Valuation Tribunal may extend the time prescribed to give notice of appeal on any terms and conditions as it thinks fit.”

2.30 p.m.

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker. I beg to move that this House agree with the Senate in the amendments to clause 13.

And, Mr. Deputy Speaker, just to make it crystal clear exactly what we are doing here. The new clause 13 or the substituted clause 13 is identical to the one before. The only thing we are changing with the exception, it is identical to the one before, with the exception of the following. What we are doing is that we are

giving an aggrieved person the ability to seek an extension of time from the Valuation Tribunal if they wish to appeal a valuation of land, the assessment of the valuation of a land, the value of a piece of land.

If they wish to appeal the assessment done by the Commissioner of Valuations, at the present time they have 30 days, so what we are doing is we are adding this:

“Upon application by an owner or a local authority for an extension of time to give Notice of Appeal under subsection (1), the Valuation Tribunal may extend the time prescribed to give notice or appeal on any terms and conditions as it thinks fit.”

And we thought this would be helpful because currently an aggrieved person has 30 days to appeal a valuation done by the Commissioner of Valuations, and we felt that there might be quite a few people who might not be able to make that 30 days for one reason or another; they may not have the resources to lodge an appeal as the case may be. So, in those circumstances, the Valuation Tribunal is now being given the power to extend the time for an appeal on terms and conditions as it thinks fit. I beg to move.

Question proposed.

Question put and agreed to.

Clause 15.

Senate amendment read as follows:

15 A. In proposed section 25A, delete subsections (2) and (3) and substitute the following new subsections:

- “ (2) The Valuation Tribunal shall consist of—
- (a) a Chairperson who shall be an attorney-at-law with at least ten years’ experience as an attorney-at-law; and
 - (b) four other persons, appointed by the President, two of whom shall have qualifications and experience in the valuation of property.
- (3) The Chairperson of the Valuation Tribunal shall be appointed by the President on the advice of the Judicial and Legal Service Commission established under the Judicial and Legal Service Act.

(4) At any meeting of the Valuation Tribunal, a quorum is constituted if at least three members are present.”,

B. In proposed section 25A, renumber subsection (4) as subsection (5).

C. Delete proposed section 25B and substitute the following new section:

Suspension
or removal
of a
member of
the
Valuation
Tribunal

25B (1) The President, in his discretion, may suspend the Chairperson of the Valuation Tribunal from office on the ground of misbehaviour or physical or mental incapacity or for cause.

(2) The President may suspend a member of the Valuation Tribunal, other than the Chairperson, from office on the ground of misbehaviour or physical or mental incapacity or for cause

(3) Where the Chairperson of the Valuation Tribunal becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit, he shall be removed by the President acting in this own discretion.

(4) Where a member of the Valuation Tribunal, other than the Chairperson becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit, the President shall remove him from office.

D. Delete proposed section 25C and substitute the following new section:

Resignation
of member
of the
Valuation
Tribunal

25C. (1) The Chairperson of the Valuation Tribunal may resign his office in writing delivered to the President.

(2) A member of the Valuation Tribunal other than the Chairperson may resign his office in writing delivered to the Chairperson.

- E. In proposed section 25D, in paragraph (c), delete all the words after the word “resigns”.
- F. In proposed section 25H delete paragraph (b) and renumber the paragraphs accordingly”.

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker. I beg to move that this House agree with the Senate in the amendments to clause 15.

Now, with respect to this amendment made in the other place, Mr. Deputy Speaker, after listening to very detailed arguments presented by all Members on the other side, both Opposition and Independent, what we sought to do was to do a mix between the Industrial Court appointments and the Tax Appeal Board appointments. At the present time, the Chairman of the Industrial Court or is it the president?—the President of the Industrial Court is appointed by the President in his or her discretion on the advice of the JLSC and similarly the Tax Appeal Board.

So, what we decided to do is to remove from the Cabinet and remove from the Minister the ability to select the Chairperson of the Valuation Tribunal, and we mirrored the arrangements currently in place for the Industrial Court and the Tax Appeal Board where, firstly, the chairperson shall be an attorney-at-law with at least 10 years’ experience, and secondly, the Chairperson shall be appointed by the President on the advice of the Judicial and Legal Service Commission.

Similarly, if you go down the amendment, the President in his discretion, which means again, this is neither Cabinet nor Minister involved:

“...may suspend the Chairperson of the Valuation Tribunal from office on the ground of misbehaviour or physical or mental incapacity or for cause”.—and so on.

We also increased the size of the Commission; we listened, because previously I think it was three. If I go to the original clause 15, the tribunal was three people and we felt that we should have more than three to have a proper quorum. So we now have a quorum being constituted with at least three members, so we have increased the tribunal to five to accommodate that. And basically, what we decided to do was, rather than get into any contentious argument over this, we would mirror the Tax Appeal Board and the Industrial Court appointments in terms of the Chairperson being appointed and also removed by the President. The other amendments are simply administrative. I beg to move, Mr. Deputy Speaker.

Question proposed.

Mr. Deputy Speaker: I recognize the Member for Siparia.

Mrs. Persad-Bissessar SC: Thank you, Mr. Deputy Speaker, I know we had a lot of controversy with respect to part (3)A which is the clause now being considered in this House and in the other place, and this really represents a tremendous improvement because what you had before was the Minister and the Minister was then being empowered to do something that we, what do you say—some kind of legal/judicial function, quasi-judicial function, so that this, I think, goes a long way in improving.

But, Minister, if I may crave your indulgence, I am speaking on the recent amendment, I crave your indulgence, you know, how come these laws are not yet enforced?—the amendments to the property and the land valuation, but they are taking up valuations and so on. I have seen statements being made out of the Office of the Prime Minister. So, I am just craving your indulgence if you can answer that because it seems they are working on the old law for the moment, or what about all these amendments that we have made to both statutes?

Mr. Deputy Speaker: I recognize the Member for Oropouche East.

Dr. Moonilal: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, just a few points to raise on the matter and to really seek clarification more than anything else on these matters.

The Valuation Tribunal in the entire scheme plays a very critical role in the administration of the taxes and the new regime. The Valuation Tribunal, just to remind ourselves, because we are looking at the composition of this tribunal, so it is very good to remind ourselves, what is this tribunal going to do having now to reflect on the composition.

Mr. Deputy Speaker: No. But, hon. Member, one second. We would have ventilated all of that information both in this House and the other place at length. Right? We are coming back with the amendments, so in terms of the composition and so on, you know, bring it in quickly—

Dr. Moonilal: Sure.

Mr. Deputy Speaker:—in order for me to determine how much leeway I will give you, please.

Dr. Moonilal: Mr. Deputy Speaker, just to say that the Valuation Tribunal plays a critical role in hearing appeals and taking all steps necessary and reasonable to settle objections in terms of conflict and in terms of appeals and so on, depending on persons concerned with the valuation of their lands and property and so on.

To get to the point here now, you have the Minister coming to the House and making the amendment because, as the Minister said, presumably, there was some argument about the role of the Minister in appointing the Valuation Tribunal in the Amendment Bill. Correct. So the Minister has made a change and on the surface it appears to be a good change, but I just want the Minister to clarify something.

“A Chairperson who shall be an attorney-at-law...ten years’ experience...”; that is fine.

The Minister introduced this issue of the Industrial Court model and I just want to raise a couple of points with that. Apart from the Chairperson, there are four other persons appointed by the President. Are these persons appointed by the President on his or, in this case, her own discretion, or does this mean “appointed by the President” means appointed by the Cabinet? I just need to be very certain of that at this stage.

So that, it may well be that this is to be appointed by the President in her sole discretion, I think that is what the Minister is advancing, and if that is what the Minister is advancing, we welcome that, but if that is not what the Minister is advancing, we unwelcome that. Because, what it means is that the Cabinet appoints four other persons, I could be wrong, but the Cabinet appoints:

“...four other persons...two of whom shall have qualifications and experience in the valuation of property”.

That is fine and we can discuss some other time, I guess, what would be a qualification and experience in the valuation of property. Maybe there, you know, are qualifications in science and so on, there. But I also want to raise the point, “two of whom”, there are two other persons to be named, two. Are these two persons to have no qualifications of any kind because clearly, they do not need qualifications and experience in the valuation of property? They may be qualified in any other area or unqualified in any other area. They could be, you know, somebody from the general council of the party and so on, anybody. And when you continue there, the Chairperson of the—

Mr. Deputy Speaker: Member, again, I have heard that already. I have heard those comments, right?—sitting in this Chair with regard to your deliberations. Again, I want you to tie it in quickly. I am giving you the opportunity, I want you to tie it in quickly with regard to the amendment that we are discussing.

Dr. Moonilal: Sure. Thank you very much. Mr. Deputy Speaker, you would agree with me that the amendment in the Valuation of Land (Amdt.) Bill is new, it was not there in the parent Act, and therefore, this fundamental change now requires a discussion by itself almost. But let me go back to the black and white of the amendment in my hand, because I think everybody will be comfortable with me doing that.

So, the—“...four persons...two...qualifications and experience..”—and two others, we do not know anything in law as to what their qualifications may or may not be. I think that is clear.

Now, Mr. Deputy Speaker, the Minister himself, not me, the Minister raised that question of the Industrial Court, but the Industrial Court has an important set-up that has been the subject of criticism over many years, and that is, if you model after the Industrial Court, you are saying that a person is to be appointed, would that person be appointed for a fixed term?—or is that person appointed for, as in the case of the Industrial Court, a decision taken at Cabinet or so, for three years or five years?—as the case may be. And that person who is appointed for three years or five years, as a member of the Industrial Court, it is called a member, that person is subject to the whim and fancy of the Cabinet, and may or may not continue as a member of the Industrial Court.

So that a person on this Valuation Tribunal, right?—finds himself or herself—*[Interruption]* yes, like Sam Maharaj, finds himself or herself there, how long are they staying? Is it an appointment for life?—I doubt it is. And they are proposing that the appointment will be an appointment for life in the absence of anything else, but if it is an appointment by Cabinet, then Cabinet can revoke that appointment as well or they can decide not to extend an appointment, the clarification is what we seek because we are not seeing it here. Mr. Deputy Speaker—

Mr. Imbert: Mr. Deputy Speaker, 48(1). We are not amending the clause of the Bill which gives the term as up to three years. We are not amending that. That is not an amendment that came from the Senate. So, the Bill as approved by the House says that a member shall be appointed for up to three years, we are not amending that. So, all of those comments about for life and so on are not relevant to the amendment, as he knows.

Mr. Deputy Speaker: Okay. So, Member, in terms of that, kindly move on, if you have another point.

Dr. Moonilal: Thank you. Could I ask the Minister, therefore, is the fundamental difference between the Amendment Bill and your amendment that you brought this afternoon, that you have inserted “the President” and removed “the Minister”, but by doing that, “the President” in this case means “the Cabinet” which effectively means “the Minister”, and it makes no fundamental difference at all. Is that the situation?

The other matter, the suspension or removal of a member of the Valuation Tribunal and so on, again—but this time, the Minister was very careful to point out in this case, when he made his two/three minute speech, that the President, in his own discretion or in his discretion. So, it is clear for the suspension or the removal of a member, the President in his discretion may suspend the Chairperson and so on, but the person at the top for appointment, they do not put, appointed by the President in his discretion. So you understand what has happened there, eh? You move from the left hand to the right hand.

“The President may suspend a member of the Valuation Tribunal, other than the Chairperson, from office...”—there are grounds and so on, and those things are there.

“Where a member of...Valuation... becomes bankrupt...”—we are clear on what that means.

“...resign his office in writing delivered to the President”.

Well, these things are—a thing. But the fundamental issue, I will ask the Minister to clarify now for us, is: Did you just pull a big hoax on us by saying it is not the Minister, it is the President and is effectively the Cabinet and Minister in the first? And given the critical role that this tribunal plays, I believe, if I am correct, this is another mockery of the entire process. Mr. Deputy Speaker, thank you. [*Desk thumping*]

Mr. Deputy Speaker: Attorney General.

Mr. Al-Rawi: Thank you, Mr. Deputy Speaker, I am alarmed, I am shocked, it is beyond surprise to hear the submission of the learned Member for Oropouche East; let me explain why. Not only is the hon. Member a qualified attorney-at-law, not only did the hon. Member sit in the position of Leader of Government Business, but the hon. Member has the amendments in his hands.

And, Mr. Deputy Speaker, when the hon. Member uses words like “is this pulling a big hoax” and alleging some inflammatory remarks and motives on the part, not of the hon. Minister, but of the entire Senate which the Opposition sits in itself, the hon. Member fails to point to page 2, to subclause (3) of the very amendments before us, and let me read it into the record to show the level of irresponsibility from an intellectual perspective on the part of the hon. Member for Oropouche East. Listen to this:

“The Chairperson of the Valuation Tribunal shall be appointed by the President on the advice of the Judicial and Legal Service Commission established under the Judicial and Legal Service Act”.

So, when the hon. Member stands to say is the hon. Member, is the Minister of Finance just pulling a “hoax” on the country, for heaven’s sake at least have the credibility to refer to the argument as it is painted in black and white in the Senate amendments. And let me state the law for the record.

The amendment before the Senate today seeks to disaggregate—before the House today, the Senate amendments—seeks to disaggregate two classifications of persons who will populate the Valuation Tribunal. One, a Chairman who is backed by the Judicial and Legal Service Commission which is a feature of the Constitution of Trinidad and Tobago in terms of constitutional protection, and four other members—

Hon. Member: Appointed by whom?

Mrs. Persad-Bissessar SC: It does not say.

Mr. Al-Rawi: [*Interruption*] Take your time. You had your time, hold up. — And four other members, appointed by the President. The Constitution of the Republic of Trinidad and Tobago by a conjoint operation between section 76 and section 80 of the Constitution is pellucidly clear that that refers to the advice of Cabinet. [*Desk thumping*] It is also pellucidly clear by the Privy Council and Court of Appeal dicta—and I heard the hon. Members opposite referring to the Sam Maharaj case. The Sam Maharaj case is on point where Members of the Opposition should know, [*Interruption*] ought to know that the—

Mr. Deputy Speaker: Member, please. I am not tolerating the shouting across the Chamber. All right? We have procedures, use them accordingly. AG.

Mr. Al-Rawi: Thank you. Where Members opposite know very well that by way of example and modelling for this type of amendment, which the Senate has asked us to consider, that there is absolutely nothing wrong, there is no hoax to be

carried out in the Cabinet having the say-so of appointment to members of a tribunal of this nature. And the Sam Maharaj dicta was absolutely clear in saying that it is precisely because of the specialist nature of these bodies, that a “mix and match” of appointments can be had.

And further, our own Court of Appeal was absolutely clear to say that there should be no odium on the Cabinet having the direction to Her Excellency, in this case, the President as she now sits, by way of a decision as to appointment or revocation of members. So, there is absolutely no hoax to be perpetuated. That hoax, if it were to be accepted, would have to be a hoax by the entire Senate upon this honourable House, which I could not accept. And the hon. Member seeks to conflate arguments in a rather dangerous fashion.

There is a backing of the Judicial and Legal Service Commission, there is a constitutional backing for the position of the chairman. The chairman sits as the effective president of the court in a de jure basis. The members being appointed in the fashion as they are effectively by the Cabinet is well within keeping of the Industrial Court formula, and the hon. Members know that.

But you see, Mr. Deputy Speaker, this is just an attempt at gallery and filibuster. We know that the hon. Members opposite do not support the concept of taxation from property, we know that. That debate has come and gone.

Dr. Moonilal: Standing Order 48(1).

Mr. Al-Rawi: The fact is, this amendment as we treat with it—

Dr. Moonilal: We debated that already.

Mr. Al-Rawi: Relevance.

Mr. Deputy Speaker: Overruled, proceed.

Mr. Al-Rawi: Thank you, Mr. Deputy Speaker, I will wrap up quickly on this point. The danger in the arguments coming from those opposite is that there is some impropriety in the recommendations of the entire Senate to this House. The fact is that the hon. Member very conveniently skipped past subclause (3) which treats with the Judicial and Legal Service Commission having the backing of the position of the president of that court, if one puts it that way, the chairman, it is exactly in keeping with the formula done by the Industrial Court. I thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker: I recognize the Member for Caroni Central.

Dr. Tewarie: Mr. Deputy Speaker, the contribution by the Attorney General which he said was meant to clarify turned out to be a discourse in genuine confusion. [*Desk thumping*] Because the issue that the Member for Oropouche East raised was not whether the Senate was seeking to present a hoax to this honourable House, but whether the Minister of Finance in making the clear statement which we can find in *Hansard* now if we look, that all these appointments are going to be presidential appointments, suggesting that they were presidential appointments in the discretion of the President or, if we use the first instance of the appointment as the chairman with the advice of the Judicial and Legal Service Commission. And he suggested, that is to say the Minister of Finance, that these appointments, all of them, would be of that kind, and did not require the say-so of Cabinet. [*Desk thumping*]

It is that issue that the Member for Oropouche East raised, and it is that issue that the Attorney General got up to obfuscate and to confuse. And it is not right for an Attorney General to do that in the short submission that he made.

The issue that therefore remains and we need to clarify in this amendment, Mr. Deputy Speaker, is that this document here says, the amendment to:

“The Valuation Tribunal shall consist of-

a Chairperson who shall be an attorney-at-law with at least ten years’ experience as an attorney-at-law;”

And it then goes on to say in:

(3) “The Chairperson of the Valuation Tribunal shall be appointed by the President on the advice of the Judicial and Legal Service Commission established under the Judicial and Legal Service Act”.

So that is very clear, and we understand that appointment.

In B, however, it says:

“four other persons, appointed by the President, two of whom shall have qualifications and experience in the valuation of property”.

But there is no subsequent clause which says, which clarifies whether the appointment shall be the President acting on advice of the Judicial and Legal Service Commission as is contained here in (3), nor is there, as there is in the next clause 25B, “in his discretion” between two commas.

And that is the source of the difficulty for us on this side, because we have already seen that you have moved from the BIR, sorry, not the BIR, the

commission of the BIR to this particular institution which is a new creation of appointment which, if it remains under the jurisdiction of the Minister of Finance insofar as Cabinet recommends to the President, what we are going to have is a tribunal of five in which four are going to be appointed, Mr. Deputy Speaker, by the Cabinet. [*Desk thumping*] The quorum is three, and therefore, it is possible in such a situation that if political appointees are on the committee, there can be a situation in the tribunal where political influence can prevail.

These are the issues that we are raising, Mr. Deputy Speaker, and if the Minister of Finance is correct that this is meant to be an appointment that is presidential in the discretion of the President, then we ask on this side that “in his discretion” or “in his/her discretion” be now included and added to the amendment which exists in a new—it would have to be a new (4) making the existing (4), (5).

3.00 p.m.

So that is our position. Because, either the position of the Minister is clear, or the position of the Minister is wrong, and if the Minister’s position, that is the same Ministry of Finance is clear, then we want the amendment to include “in his or her discretion by His Excellency/Her Excellency, the President.” Thank you very much.

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker. [*Desk thumping*] One of the problems with this debate on this amendment is that some of the Members opposite see things that do not exist, and some of the Members opposite hear things that were never said. So, let me try to deal with these things that Members see that do not exist.

The hon. Member for Oropouche East saw somewhere, either in the amendment Bill itself, or in the list of amendments, or in the parent Act, he saw somewhere, the hon. Member saw somewhere that the members of the Valuation Tribunal can be appointed for life. I do not know how, and where, and when he saw that. But he had a long fulmination. He fulminated at length about how these members of the Valuation Tribunal would be appointed for life.

Let me read the Bill, House of Representatives as amended in the House—and, Mr. Deputy Speaker, I know when I am correcting the mischief of Members opposite they like to interrupt me. So, I would seek your protection when they attempt to interrupt me. So, the hon. Member for Oropouche East saw something

that did not exist, that members of the Valuation Tribunal would be appointed for life. I shall read clause 9(4) of the amendment Bill before us, and it reads as follows:

“A member of the Valuation Tribunal shall hold office for a term not exceeding three years as is specified in his instrument of appointment...”

So therefore, all of that carrying on about how we will be appointing members of the Valuation Tribunal for life was simply based on mischief.

Mrs. Persad-Bissessar SC: Would you give way?

Mr. Imbert: Sure, of course.

Mrs. Persad-Bissessar SC: I understand what has happened and, 25B(4) does in fact give a term. But it does not appear to be right, and I am seeking clarity. In your amendment, page 12 of this Order Paper, you have said too, in section 25A, which is clause 15 we are dealing with, in proposed 25A, delete (2) and (3) and substitute the following new subsections.

Mr. Imbert: Correct.

Mrs. Persad-Bissessar SC: So, you have subsection (2), subsection (3), and you have (4).

Mr. Imbert: (4) remains.

Mrs. Persad-Bissessar SC: Good. And then you renumber (4), the existing (4) that you are reading, into (5). Thank you very much.

Mr. Imbert: Yes, of course. Of course.

Mrs. Persad-Bissessar SC: Thank you very much, just clarifying.

Mr. Imbert: Of course, thank you very much. The Leader of the Opposition has further crystallized the point. Crystallized the point. When the hon. Member for Oropouche East was fulminating with his fake information, it is unfortunate that the Leader of the Opposition did not assist the hon. Member, and show him that the members shall hold office for a term not exceeding three years. [Crosstalk] So, the hon. Member for Oropouche East saw something that did not exist.

Mr. Deputy Speaker: Silence on both sides!

Mr. Imbert: Thank you, Mr. Deputy Speaker for quelling the noise. And now we go to what the Member for Caroni Central heard that was never said. What I said, Mr. Deputy Speaker, I was very, very clear that we were using a model similar to the Tax Appeal Board. That is what I said. I never said anything about presidential, in his or her discretion. Those words never came out of my mouth. What I said is we used a model similar to the existing—no, I have to make myself clear because hon. Members on your side, hon. Leader, do not hear when people speak, so maybe you need to raise the decibel level. So that what I said, hon. Deputy Speaker, to the hon. Member for Caroni Central, was that we were using a model based on the Tax Appeal Board configuration and the Industrial Court configuration, I will now—

Mrs. Robinson-Regis: Use my mike.

Mr. Imbert: Thank you. I will now read the configuration for the existing Tax Appeal Board, something that has been in existence in this country for, I cannot imagine how many years, 50 years. Let us read:

“The Chairman and the Vice-Chairman of the Appeal Board shall each be an Attorney of Law.

The Chairman and the Vice-Chairman shall be appointed by the President acting in accordance with the advice of the Judicial and Legal Service Commission.”

So again, that is another thing that the hon. Member for Oropouche East saw that did not exist. The existing Tax Appeal Board:

“The Chairman...Vice-Chairman shall be appointed by the President acting...with the advice of the Judicial and Legal Service Commission.”

And it goes on to say:

“The members of the Appeal Board, other than the Chairman and Vice-Chairman...shall be appointed by the President”—which means Cabinet—“from among”—members—“as appear to the President”—which means, Cabinet—“to be qualified by virtue of...”

—various skills.

So, the existing Tax Appeal Board has a Chairman and a Vice-Chairman appointed by the President, Her Excellency the President/His Excellency, on the advice of the Judicial and Legal Service Commission. Every other member is appointed by the Cabinet. That has been the case in this country for 50 years. And

the difference between our Valuation Tribunal and the Tax Appeal Board is that in its current configuration the Government could appoint any number of persons that it wishes to the Tax Appeal Board. Just like the Central Bank. We could put 100 persons appointed by the Cabinet, and therefore dilute the influence of the Chairman and Vice-Chairman appointed by the President. For 50 years that has been the situation. So, what we did, we looked at it and we said, no, we should not use the Tax Appeal Board model in toto, because if we did we would have made the number of Valuation Tribunal members appointed by the Cabinet unlimited.

We said, no, we would not do that, so we made it five. And instead of having an unlimited number of members appointed by the Cabinet, as is the status quo as it is now, has been for 50 years, we stayed with four. And we said we would qualify two of them as being qualified in valuation, and the other two would be persons, laypersons. And that is the way the world is going, Mr. Deputy Speaker, for your information. The Judicial Commission in England has persons who are legally qualified, and it has laypeople on it. That is the way of world. And what bothers me is that hon. Members opposite, they see things that are not there, and they hear things that are not there. They hear—I at no time, I reject any suggestion, or insinuation, or statement coming from the hon. Member for Caroni East that in this place, or any other place, that I said the members of the Valuation Tribunal, other than the Chairman, shall be appointed presidentially in the discretion of the President. I did not say that. You cannot find that on any *Hansard* record in this place or in any other place. It does not exist.

So therefore, what we have here is exactly the same as the Tax Appeal Board with an improvement, because it limits the numbers to five; with the Tax Appeal Board can be unlimited members appointed by the Cabinet. This is clearly in the public interest. I beg to move, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: Members, the Minister has begged to move, according to procedure, I am moving ahead. Hon. Members, the question is that this House agree with the Senate in the amendments to clause 15 of the Valuation of Land (Amdt.) Bill, 2018.

Question put and agreed to.

New clause 18A.

Senate amendment read as follows:

Insert after clause 18 the following new clause:

Section 18A—[*Crosstalk*]

Mr. Deputy Speaker: Members, one sec. One sec! Members, please, let us respect the Procedural Clerk also. Please! Proceed, Procedural Clerk.

Senate Amendment read as follows:

Insert after clause 18 the following new clause:

Section 18A. The Act is amended by inserting after section 34 the

34A following new section:

inserted

“Confidentiality 34A. (1) The Commissioner or any person duly authorized by him to receive information under this Act shall keep the information confidential and shall not share the information unless authorized under this Act or any other written law.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of fifty thousand dollars.”

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker. I beg to move that the Senate amendments to clause 18A—sorry, I beg to move that this House agree with the Senate in the amendments to clause 18A of the Valuation of Land (Amdt.) Bill. And this was something proposed by one of the Senators in the other place, that we should have an offence created for a breach of confidentiality, because this is such a sensitive area in terms of persons’ personal information. So that what this does, it introduces a clause whereby if there is a breach of confidentiality, the person who commits that and discloses persons’ personal information would be subject to a fine of \$50,000 on summary conviction.

And if you would allow me, Mr. Deputy Speaker, I was so distracted by the—I “doh” know what to say—fulminations and falsehoods and fabrications that I did not answer a question put to me by the hon. Leader of the Opposition, who understands everything, by the way, which is a bit embarrassing for her Members. Because, the hon. Member—

Hon. Member: “Don’t try and mamaguy please.”

Mr. Imbert: No, it is a fact. The hon. Leader of the Opposition understands everything, whereas some of her Members do not. And it is unfortunate because the hon. Member—the Opposition understands clearly—in fact, was able to point out a little intricate detail to me that crystallized the point that her Members could not see, shocking and shameful, but anyway, let me go back to this whole point. [*Crosstalk*]

That is all right. It is not a mamaguy. There are some stories in the newspapers—there was an article in the newspaper over the weekend that really was a little unprofessional. It was based on postings on social media, on Facebook by anonymous posters, and it took these postings as fact, and found their way into news, which apparently is the trend nowadays, that postings on social media are then reported in the mainstream media as fact. It is an unfortunate development on social media. But people would just go on social media, some anonymous profile, some—

Dr. Moonilal: Mr. Deputy Speaker, 48(1), what this has to do with the confidentiality clause? [*Crosstalk*]

Mr. Deputy Speaker: Member, okay, but, again, tie it in quickly.

Mr. Imbert: I am wrapping up now.

Mr. Deputy Speaker: Tie it in quickly.

Mr. Imbert: I am wrapping up now. [*Interruption*] Mr. Deputy Speaker, it is pertinent and germane to the question, because the things in the media were about people trying to access personal information from property owners, and this amendment deals with a breach of confidentiality, where you would disclose—someone within the valuation system would disclose personal information, and we now are creating an offence for the disclosure of personal information, and making a fine of \$50,000.

So what I am talking about is completely relevant. So there was a story in the papers about valuations commencing, persons calling up people, want to come to their home, want to inspect their properties and get personal information from them, which is now, if you disclose it would be an offence. And I can simply say that it was very disappointing, that that story was based on postings on Facebook from anonymous posters, fake profiles. The story was completely inaccurate and wrong. We are using the existing law in as much as we can. There was a court decision, with respect to the existing law, which permitted the Valuation Division to do certain things within the ambit of the law, and if and when these Senate amendments are approved by this honourable House, then we would be able to do

more than we are doing at this point in time. But at this point in time we are acting completely within the ambit of the existing law, just to reassure the hon. Opposition Leader. Thank you. I beg to move, Mr. Deputy Speaker. [*Desk thumping*]

Question proposed.

Dr. Tewarie: I would just make a short contribution—

Mr. Deputy Speaker: Member for Caroni Central. [*Interruption*] Please, Members, let us—we are doing it clause by clause, so, again, once I pause let us proceed, please. Member for Caroni Central.

Dr. Tewarie: And the contribution is very simple. We appreciate the clause of confidentiality because it is important when the State creates its institutions that this matter of confidentiality is strictly adhered to, and therefore, these particular amendments are reasonable, and we have no reason to quarrel with these amendments.

Question put and agreed to.

PROPERTY TAX (AMDT.) BILL, 2018

Senate Amendments

Mr. Deputy Speaker: Minister of Finance.

The Acting Prime Minister, Minister of Finance and Acting Minister of Housing and Urban Development (Hon. Colm Imbert): Thank you very much, Mr. Deputy Speaker. I understand, from a statement made across the floor by the hon. Leader of the Opposition, that there is now agreement that we can do all of the amendments together. So, I would like to get that matter just for the record.

Mr. Deputy Speaker: Chief Whip—

Dr. Rambachan: Yes.

Mr. Deputy Speaker:—in agreement that we take all the clauses together?

Dr. Rambachan: Yes.

Mr. Deputy Speaker: Leader of the House, so proceed. Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker. Just give me one second. In the amendments before the House, in the first amendment—Sorry. I am so sorry. I beg to move the following Motion standing in my name:

Property Tax (Amdt.) Bill, 2018

Monday, May 28, 2018

Be it resolved that the Senate amendments to the Property Tax (Amdt.) Bill, 2018 listed in Appendix II be now considered.

Question proposed.

Question put and agreed to.

Mr. Deputy Speaker: Leader of the House and Chief Whip, in terms of reading the clause, would we need to enter it into the records?

Mrs. Persad-Bissessar SC: As circulated.

Mr. Deputy Speaker: Right. So, amended as circulated.

Mrs. Robinson-Regis: Yes.

Mr. Deputy Speaker: Right.

Mrs. Robinson-Regis: Or as stated in the Order Paper. Yes?

Mr. Imbert: Yes. [*Crosstalk*]

Clerk: Clauses 3, 6, 8, 9, 10, 16, 18, 20, 21, 23, 24, 25, new clause 3A inserted, new clause 22A inserted, new clause 23A inserted, new clause 24A inserted, as appears in Appendix II of the Order Paper.

Senate amendments read as follows:

Clause 3.

Delete clause 3 and substitute the following:

“Section 3. The Act is amended in section 3-

3 amended (a) in the definition of “appeal” by deleting the words “Commissioner upon an objection by the owner of land to a valuation or” and substituting the words “Board upon an objection by the owner of land to an”;

(b) by deleting the definition of “capital value”; and

(c) in the definition of “Minister”, by deleting the words “the assessment and collection of taxes” and substituting the word “finance”.

Clause 6.

A. In paragraph (a)(iii), in the proposed paragraph (f)-

- (a) in the chapeau, delete the word “of” and substitute the word “by”; and
- (b) delete subparagraph (iii) and substitute the following subparagraph:

“(iii) State enterprises listed in Schedule IV;”

- B. In paragraph (a)(viii), delete the words “deleting paragraph (n)” and substituting the words “in paragraph (n), by inserting after the word “to”, the words “and occupied by”.

Clause 8.

In paragraph (b), insert after the words “the new”, the words “in the first place where they occur.”

Clause 9.

- A. In paragraph (a), in the proposed new subsection (1A), delete the word “sixty” and substitute the word “thirty”.
- B. In paragraph (b), delete subparagraph (i) and substitute the following new subparagraph:

“(i) delete the words “subsection (1)” and substitute the words “subsection (1A)”.”.

Clause 10.

In paragraph (d), delete the word “a” and substitute the word “the”.

Clause 16.

- A. Insert new paragraph (a):
 - “(a)” in subsection (2), by deleting the word “collected” in the second place it occurs and substituting the word “received”.”.
- B. Renumber the paragraphs accordingly.

Clause 18.

- A. In paragraph (a), insert after the word “March”, the words “in the following year”.
- B. Delete paragraph (c) and substitute the following:
 - “(c) in subsection (3), by deleting the word “September” in each place it occurs, and substituting the words “March in the following year”.”.

Clause 20.

Delete the word “and” before the words “three months”.

Clause 21.

Insert after the word “Revenue” the word “Officer”.

Clause 23.

A. Delete the word “2016” and substitute the word “2017”.

B. Insert after the word “2017”, the words “or such later date as the Minister may by Order prescribe”.

Clause 24.

Delete proposed section 53A and substitute the following new section:

“Minister to amend Schedules	53A. The Minister may by Order amend- (a) Schedule I, subject to affirmative resolution of Parliament; (b) Schedules II and III; and (c) Schedule IV, subject to negative resolution of Parliament.”
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Clause 25.

In the proposed Schedule IV, insert after the item “Central Bank of Trinidad and Tobago”, the following items:

“Chaguanas Borough Corporation
Law Association of Trinidad and Tobago”.

New clause 3A.

Insert after clause 3, the following new clause:

“Section 3A. The Act is amended by inserting after section 3 the following new section:

Building or accommodation	3A. Where- (a) a building occupies separately from
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to be deemed
land

other buildings, a location on a single parcel of land, the building shall for the purposes of liability to tax under this Act, be deemed to be land;

(b) a single dwelling accommodation is part of a multi-dwelling building each single dwelling accommodation shall, for the purposes of liability to tax under this Act, be deemed to be land;

(c) a single commercial accommodation is part of a multi-owner building each single commercial accommodation shall, for the purposes of liability to tax under this Act, be deemed to be land.”.

New clause 22A.

Insert after clause 22, the following new clause:

“Section 22A. Section 40 of the Act is amended —

- 40 amended
- (a) by deleting the words “and tax payable by him” and substituting the words “any tax payable by him”;
 - (b) by deleting the word “landlord” and substituting the word “person”; and
 - (c) by deleting the words “, or to anyone authorised to levy a distress under section 37”.”.

New clause 23A.

Insert after clause 23, the following new clause:

“Section 23A. Section 53 of the Act is amended by inserting after subsection (2) the following new subsection:

“(3) Regulations made under this section shall be subject to negative resolution of Parliament.”.”.

New clause 24A.

Insert after clause 24, the following new clause:

“Schedule 24A. Schedule 1 of the Act is amended -

- 1 amended
- (a) by inserting after the word ““Residential”, the word “land”;
 - (b) by inserting after the word “Commercial”, the word “land”;
 - (c) by inserting after the word “Industrial” the word “land”; and
 - (d) by inserting after the word “Agricultural”, the word “land”.

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Mr. Deputy Speaker, I beg to move that this House agree with all of the amendments the Clerk just read out, and the Property Tax (Amdt.) Bill, 2018. And let me just deal with the first one. The first one is just grammatical.

We are removing the word “and”. It should not be there, and the words “capital value” should not be there. So that clause 3, we are simply making some grammatical corrections.

Clause 6, again, typographical in nature. We are changing “of” to “by”, and we are changing “land belonging to the State in occupation by” as opposed to “in occupation of”. And, in the list of amendments to paragraph—and we are listing the state enterprises, as this removes any subjectivity with respect to interpretation. So rather than having all of state enterprises within the body, we are putting it in a schedule.

And if one goes to the schedule one would see that lands associated with the University of the Southern Caribbean are now included in the list of exempted universities. And this was requested by Members of both the Opposition and the Senate. We have the University of the West Indies being exempt from property tax; the University of Trinidad and Tobago being exempt from property tax; so you now—by this amendment to clause 6, the University of the Southern Caribbean will be included in the list of exempted universities.

And the reason is, the Government of Trinidad and Tobago over the years has contributed to physical development at the University of the Southern Caribbean.

So we felt, the Government contributes to the University of the West Indies in terms of development of its property. It contributes to the University of Trinidad and Tobago in terms of its property, and it has contributed considerable sums of money to the development of the University of the Southern Caribbean in terms of its property. So we just thought it is only appropriate that we include the University of the Southern Caribbean as an exempt entity in terms of property tax.

With respect to clause 8—again, this is just typographical, where we are just cleaning up the words, “the new” and calling them “a new”. So, we are changing the word “the” to “a”. In terms of clause 9, we are asking for a more reasonable time in terms of refunds by the Board of Inland Revenue to citizens. So, we are changing the time frame which was currently 60 days for a refund to 30 days. So, we are shortening the time by which the Board of Inland Revenue—if someone has overpaid for property tax.

If one looks at clause 9, it says: “In paragraph (a) in the proposed new subsection 1(a), delete the word “sixty” and substitute the word “thirty”. And if I go to the actual Bill itself, which should be—all Members should have a copy of the Bill. If I go to clause 9 of the Bill, of the amendment Bill, the amendment to the Property Tax Act, amendment Bill, if you look at 9(1)(a), it speaks as follows:

“An overpayment of tax due, the Board shall within sixty days of the date of the new notice refund the amount of such overpayment.”

So, where as an assessment of an amendment to the assessment roll there has been an overpayment, the Board shall within 60 days refund the amount of such overpayment. So, we have shortened that to 30 days. We have harmonized it if there is an underpayment.

So, if you go to the next one, 9(1)(a)(b), you see where as a result of an amendment to the assessment there has been an underpayment, the additional tax shall become due and payable within 30 days. So, we felt if there is an overpayment, the Board of Inland Revenue will refund the person within 30 days, and if it is an underpayment they will be required to pay within 30 days. So, it is just harmonizing the two.

In terms of clause 10—well, after the 30 days the interest becomes due and payable. So, whether it is paid or not the Government has a liability, the interest starts to kick in after 30 days, on both counts, if it is an underpayment or an overpayment.

Dr. Gopeesingh: Do it for VAT as well.

Mr. Imbert: Yeah, okay. [*Laughs*] In clause 10, we are simply taking out the word “a” and substituting it with the word “the”. So, it is just a typographical correction.

In terms of clause 16, we are amending section 31 of the parent Act, and we changed the word “collected” to “received”. And the reason why we are changing the word “collected” to “received”, we had quite a discussion on this in the other place. This has to do with a tenant who is paying the tax on behalf of the owner, and we felt that you should not want to burden a tenant with the responsibility to collect a tax, so we changed “collect” to “received”. So that it shifts the burden of paying the tax—it avoids shifting the burden of paying the tax to the tenant, as it is not the tenant’s responsibility.

What was there before was an ambiguous situation where the Board of Inland Revenue might try to collect property tax from a tenant, which we thought was unfair. It is whether—if they receive it from the tenant, it is then deducted from the tax payable by the owner. So, the owner is required to pay, the tenant can pay on the owner’s behalf, but you cannot go behind the tenant to pay for the tax, so we changed it from “collect” to “received”. So it is now, if you receive tax from a tenant then it goes on the record, but you cannot go and collect tax from a tenant. So, that is the change to 16.

With respect to 18, this deals with a grace period. It changes the date on which penalties and interest begin to accrue. And it was felt that a grace period of six months is more reasonable than a grace period of 12 months. That was the consensus of the Senate. With respect to clause 20, again grammatical. Just taking out the word “and” before the words “three months”.

Clause 21 is the power to distrain, this was an error. There is no such person, apparently, as a “District Revenue”. There is a District Revenue Officer. So you have, to put in the word “Officer”. Officer was left out in clause 21. So, you put after the word “Revenue” the word, “Officer”. So, in other words, you had Comptroller of Accounts and other persons, but they had District Revenue, so it is just a typographical error.

In terms of clause 23, this was a hot topic both here and in the other place, where, in this place we had amended the waiver of property tax from December 2015 to December 2016, and there was a lot of heat about this, both here, outside and in the other place. So, we made a policy statement, and I am reiterating it here today for the avoidance of any doubt. The tax will only be collected in the year when the administrative arrangements are in place.

So, the 50 per cent of valuations, for example, when that kicks in, when 50 per cent of properties are valued and the Commissioner of Valuations informs the Minister that in that year, then the tax is due and payable. So whether it is this year, or whether it is next year—*[Interruption]*—nah, nah, nah, we are not that slow. *[Laughs]* So, the tax would be collected in the year that the administrative arrangements are in place. So, that is why we have changed it to 2017. We have changed 2016 to 2017. So, the tax is no longer due for 2017, because the administrative arrangements were not in place in 2017. We expect to have them ready in 2018; 2018 has some months to go still, you know. So—

Mrs. Persad-Bissessar SC: You do not have much months to go.

Mr. Imbert: We have a lot of months to go. *[Laughs]* Clause 24—

Dr. Tewarie: Minister?

Mr. Imbert: Oh, sure. Yeah.

Dr. Tewarie: So you are saying Minister, if you establish in 2018 there will be no retroactivity to 2017?

Hon. C. Imbert: That is quite correct. Absolutely so.

Dr. Tewarie: And so too in '19?

Mr. Imbert: Yes, and so we go along. So, if we need we will amend it from '17 to '18 as the case may be, as we go along.

Clause 24—and we expect—Mr. Deputy Speaker, through you—we are going to complete administrative arrangements in this year, 2018, so that the tax could be collected in this year. If we do not achieve that, then we will do it next year. So 24—

Mrs. Persad-Bissessar SC: This issue of the retroactivity was cause for concern by many persons. Now, we have with us your amendment, changing 2016 to 2017, would you be kind enough to read how that reads into the parent Act?

Mr. Imbert: Sure.

Mrs. Persad-Bissessar SC: What it is that is going to kick in in 2017, and now you are saying, “or such later date as the Minister may advise”? In other words, is the parent Act that we need to read your new words into to get—please? Thank you.

Mr. Imbert: Certainly. Let us start first with the amendment Bill which should give the picture. Section 52A of the Act is amended—this is the current amendment Bill— by deleting the words “31st December 2015”, which is the current cut-off date after which the tax becomes due and payable, and substituting the words, “30th September 2016”. That is the amendment Bill.

By this amendment we changed the date “30th September 2016” to “30th September 2017”. So that means that the tax is no longer due up the 30th September 2017. And this was a proposal made by Independent Senators, that, rather than having to come back to Parliament every year and keep changing it, ’17, ’18, ’19, the Minister could, by Order just say ’18, ’19, and so on. That is the effect of it.

3.30 p.m.

Mrs. Persad-Bissessar SC: Thank you, but again, we just have the amended Bill plus the further amendment today. I am asking perhaps if we could get a copy of the parent.

Mr. Imbert: The parent.

Mrs. Persad-Bissessar SC: So this is something to insert into the section 52 of the existing—

Mr. Imbert: 52A.

Mrs. Persad-Bissessar SC:—parent law. Perhaps we can ask someone to get it.

Mr. Imbert: Mr. Deputy Speaker, if you can just give me a second, I will see if I can pull it up now.

Mrs. Persad-Bissessar SC: Minister you can continue, someone has got a copy so I will take a look at it.

Mr. Imbert: Okay, we have it here. This is the parent, 52 years at present:

“Notwithstanding any written law to the contrary, the payment of any tax under this Act shall be waived for the period 1st January 2010 to 31st December 2015.”

That was before this amendment Bill. And now it will—and with the amendment Bill, it would have read:

Notwithstanding any written law to the contrary, the payment of any tax under this Act shall be waived for the period January 1st, 2010 to December 31st, 2016 and that now goes to 30th September 2017 or such later date as the Minister may by Order prescribe.

It means that there is no retroactivity. Okay? So, I just wanted to make that clear. There shall be no retroactivity.

Mrs. Persad-Bissessar SC: Minister, we will come back to it. I just want to be sure that would have been—it is not that it would be 2017 and continuing—

Mr. Deputy Speaker: Could you stand please, Member?

Mrs. Persad-Bissessar SC: I am sorry. Just in the language—I felt we were in Committee. I am sorry. I will keep looking at it and I will ask again if I need to during—

Mr. Imbert: No, what the amendment made by the previous Government, your Government, what the effect of that was that any tax due from January 2010 to December 2015 was waived. The effect of this amendment means that any tax due from January 2010—[*Crosstalk*]—January 2010 the effect of this amendment, when you read everything together, any tax due from January 2010 to September 2017 is waived. And then the Minister can move that 2017 to 2018 and 2019 by Order. Okay, so there is no retroactivity. [*Crosstalk*] Yes, that is right.

Hon. Member: We extended the waiver by two years.

Mr. Imbert: Just let me get back my notes now. Instead of coming back to Parliament to keep changing the date, the Minister would just extend by Order. So let us move on now. Hold on a second, please, I have lost my place. [*Crosstalk*] Just now, I have speaking notes, I just have to get them. Property tax. Right.

So 24, this is now giving, again, hon. Members opposite, what we are doing in 24 is that, instead of, as passed in the House, where the Minister may by Order amend the Schedules, we are now changing this to the Minister will have to come to Parliament to amend the Schedules by affirmative resolution. And that is a big move and those Schedules are the rates of tax. So if the Minister wants to change the rate of tax, change the residential rate from 3 per cent to 2 per cent or 4 per cent as the case may be, the Minister must come to Parliament and get the approval of Parliament to do this. So, this is a significant change that we have made to the legislation.

Now 25, we will just add in—and hon. Leader of the Opposition I realize you are occupied, but I thought there was something here that you may wish to know with respect to the amendment to 25. The Leader in the other place, Opposition person in the other place, felt that we should not amend the Schedule of exempt institutions except by affirmative resolution and debate in Parliament. And then the hon. Senator saw that we were putting in Chaguanas Borough Corporation as an exempt institution. So I asked him if he wanted me to take that back out and have it debated in both Houses. Well, that killed the old talk “one time”. So, we brought in Chaguanas Borough Corporation and we added in Law Association too. I asked one of the lawyers present whether they wanted us to debate that by affirmative resolution, whether the Law Association should be exempt from property tax. Well again, talk done.

So, all we are doing is we are including as exempt entities Chaguanas Borough Corporation, which was somehow left out, and Law Association of Trinidad and Tobago. And then we are now inserting a new clause 3A which the effect of the new clause 3A—let me go back to the top now. The new clause 3A allows a proper assessment of buildings that are of mixed use or multi-dwelling buildings or commercial plus residential and so on. It allows the Commissioner of Valuations to value each element in a building as a distinct element. So if you have a residential portion of a piece of a building it will be valued for residential purposes. If it is commercial, because you have buildings which are residential and commercial and therefore the tax of 3 per cent would apply to the residential component and 5 per cent would apply to the commercial component.

So what this does is give the Commissioner of Valuations the ability to distinguish between parts of a building that are used for different purposes in terms of applying the taxation. The new clause 22A is just cleaning up the language. New clause 23A, again, there was nothing in the amendment Bill that allowed regulations to be subjected to any form of parliamentary oversight. So we would now put in that regulations shall be subject to negative resolution of Parliament. So the Parliament would see the regulations made by the Minister under the Act and can negative them, move a Motion to negative them or debate them as they see fit. And 24A is just tidying up language. So those are the explanations for all of the amendments to the Property Tax Act and I beg to move, Mr. Deputy Speaker. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: Member for Oropouche East

Dr. Moonilal: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, we have had the benefit of the explanation of the Minister and during the course of his presentation there was a healthy exchange as well, so that a few matters we were intending to raise are being discarded with. Just a few small issues on clarification and I can jump from 3, 6, 8, 9 and so on and go—just today Minister while, of course, we understand thoroughly the attempt to bring some relief to persons who under—I am looking at clause 20, persons who—you have changed the timing I believe—is it clause 20? No, no, clause 9, where you have moved from 60 to the 30 days to refund, and so on.

The issue there, that while this may appear good on paper and, I mean, it is something that we, everybody would feel nice looking at, that there is some commitment and there is some understanding that this can happen in practice, because that time appears to be so short and given the normal run of the mill of persons—I remember during your presentation when a member on our side indicated why you do not do that for VAT refund as well, there was a collective giggle. And it suggests that while there was an attempt to appease someone that you will have a more reasonable and humane approach to meeting and treating with overpayment of tax and underpayment of tax, one really questions whether at all something like that is feasible in that limited time that you have given yourself.

But, Minister, just to go back to what you yourself described as a hot topic and a topic that has really created a lot of stir, not only on the social media but in the mainstream media as well of this date. And there is an attempt to bring some type of clarity to it by stating that you have deleted 2016 and substituted 2017. But you went on to say, delete:

“B ...after the word ‘2017’, the words, ‘or such later date as the Minister may by Order prescribe’.”

And the understanding that there may well be another situation where the dates have to change, the goalpost needs to change because of the implementation timetable.

But you may want to still clarify whether or not this is needed in the first place, because to someone reading it, it still appears that 2017 is the border for the payment of taxes assuming that it is implemented. So, hypothetically, if all your arrangements are in place by September or November this year, does it mean that persons for commercial, residential and so on, persons will be asked to pay that tax dating back to September 2017? Because you said that as soon as the arrangements are in place that the Commissioner by writing indicates to you that

50 per cent or more have been valued, you will move immediately to implementation. And as it is now, the Bill says clearly that the backward date border is 2017, September. So it stands to reason that that is the date upon which they will—now, again I ask for clarity and I know when I ask for clarity I get insults. In 1983 I learned that when you do not have an argument you insult.

Mr. Deputy Speaker: Member, Member, please. Let us proceed.

Dr. Moonilal: Thank you. So we ask for clarity knowing what we will get. Mr. Deputy Speaker, just go to clause 25 now, and while I understand the reasoning for introducing the Chaguanas Borough Corporation and the Law Association, I think they may have had a lobby somewhere, just to remind the Minister that in the Schedule for exemption, this Schedule actually includes the Board of Engineering, the Criminal Injuries Compensation Board, the Firearms Appeal Board, the Land Survey Board and so on, and I was wondering whether the Minister will also consider placing in that the properties and property owned by the trade union movement, by trade unions. And I know it came up, but it did not stay up.

So, just as you have included, the Blind Welfare Society, the Firearms and all these organizations, I think the Minister should consider as well, the trade union movement for exemption. Another matter that came up, but did not stay up, was the issue of pensioners, and to what extent pensioners may get relief and could be included as an area for exemptions. I think the Minister made a commitment somewhere, the Minister made a commitment that he will review the situation for pensioners to see what assistance pensioners can get by way of exemptions of one kind or another. It may not be a complete exemption, but it may be some help that may be forthcoming. There is a commitment I think the Minister made elsewhere.

Mr. Imbert: Mr. Deputy Speaker, I do not want to rise on 48(1), but there is no amendment to that section dealing with relief for pensioners.

Dr. Moonilal: No, I said you made a commitment elsewhere, not that there is an amendment.

Mr. Deputy Speaker: Member, just for clarity, once you are going on to a particular clause, just call the clause number please.

Dr. Moonilal: Sure. Okay, I was on clause 25 and I now move on to section 3A inserted, the new area. And this is a new area as it says here:

“The act is amended by inserting after section 3 the following new section:

Building or
accommodation
to be deemed
land”

—and so on and so forth. And it is there.

This is new, so it is not something we can refer back to. But there is still need for some measure of clarity as to the extent to which this can lead to some type of burden upon persons owning the multi-dwelling apartment buildings and so on where it may be that someone who owns one of these apartments, and so on, pays their property tax, but the owner of the entire complex is also paying.

And it may lead to some type of burden, where someone is owning the apartment or flat or townhouse as the case may be, they are already paying to the owner, maintenance fees, taxes, contributing even to the property tax, or in the old days, land and building tax, but, to the property tax, and then because of the wording of this, and what it is seeking to do, they may face a—for want of a better term, a double taxation. They may face a double blow by having to pay the building owner certain taxes and certain fees, and then having to pay to the Government a property tax as described here. So that is something that could be clarified I think easily, and could be stated categorically for the record that that is not so.

Mr. Deputy Speaker, at the new clause 23A inserted, while I did understand for the area of the amendment to the Schedule the need for, well, the need to amend the Schedule without necessarily affirmative resolution and so on, I am wondering whether at section 53 as amended, and this is the new clause 23A I am looking to on page 17, whether the Minister will consent to change the:

“(3) Regulations made under this section shall be subject to”—affirmative—“resolution of Parliament”—rather than—“negative resolution of Parliament.”

—given the importance of these measures and given the public disquiet and the hot topic issues.

The entire Bill is hot topic—given the nature of this whether the Minister will look at affirmative resolution in the Parliament. Yes, because it will also bring more transparency and clarity if critical areas of the Bill and the Act require

affirmative resolution at least for debate. The Government will always have their number and their majority and so on, but at least it will bring clarity and present an opportunity to discuss various issues. So I am not speaking specifically about amending the Schedule, because that will not have a big purpose, but of the other regulations that the Minister may be making pursuant to this piece of legislation. Thank you.

Dr. Tewarie: Thank you very much, Mr. Deputy Speaker. Since the Minister of Finance raised the issue of the percentage at which taxes are triggered in terms of administrative achievement, that is to say 50 per cent, I do want to raise an issue that I raised earlier. And I suspect that it will now be relevant, germane, that 25 per cent of the people who own property are squatters, which is about 75,000 out of 450,000 household ownership in the country. And that 50 per cent do not have their property arrangements legalized, so that of the remainder, when you take 75,000 from 450,000 if you take 50 per cent, what it means is that 158,000 households in this country are going to be carrying the burden of taxes. I want the Minister to tell me whether I am wrong or whether I am correct and whether this is meant to be the situation or whether over time this will be rectified.

The second thing is that since you are going for a target of 50 per cent, how many are actually valued at this time? How many have gone through the process where you can say, well, okay, we can proceed to address taxation for those households? And I think that would be an important issue to indicate whether you are correct, that you might be in a position to begin to collect taxes in 2018, Mr. Deputy Speaker.

In relation to that, the households, I want to say that we are probably the only country, unlike let us say Jamaica which calculates its taxes on the basis of an assessment of current market value; we are the only people who deal with the site, who deal with improvement and tax people on those improvements and who deal with the rental value in order to determine the taxation amount for the property. And I wonder in the context of legislation that is fair and reasonable and not prone to arbitrariness, whether this in fact is a good thing.

The second issue I want to deal with is the issue of retroactivity. The Minister cleared that up very well and if he gives us that assurance and the amendment allows the Minister, in fact, to ensure that taxes do not include any manner of retroactivity but begins in the year when the application of the tax law begins then we want to hold him to that assurance and we would not like any confusion to emerge during the course of this year or next year on that particular matter.

Many of the amendments here are very straightforward and I do not wish to address those, but I do want to, since at 24A, we talk about residential, commercial, industrial and agricultural. I do not want to get into all of them and I have raised the issue of residential in relation to the targets, in relation to no retroactivity and we have now by amendment here introduced properties. We have discriminated in the terms of determination of taxation on a property, for instance, between commercial and residential, residential/commercial, et cetera. But one of the elements here is the industrial property tax. And I want to ask a few questions about that. I do not think that the industrial—

Mr. Imbert: Mr. Deputy Speaker, again, 48(1), I am kind of losing track which one of the clauses he is talking about.

Mr. Deputy Speaker: Member, one second. Actually I was now going to rise in order to make the same point. Identify the particular clause so that we would be clear in terms of going forward please, in terms of the amendment.

Dr. Tewarie: Yeah, in 24A, Mr. Deputy Speaker, the new clause is inserted:

“Schedule 1 of the Act is amended—

- (a) by inserting after the word “Residential”, the word “land”;
- (b) by inserting after the word “Commercial”, the word “land”;
- (c) ...inserting after the word “Industrial”, the word “land” and
- (d) by inserting after the word “Agricultural”, the word “land”.”

So I was going to raise some issues having raised some about households and what you might call property tax for individual homeowners, I wanted to raise some issues about industrial properties.

Mr. Imbert: Mr. Deputy Speaker, I will have to cite 48(1), because that is just a typographical amendment, just to include the word “land”, that is all. It has nothing to do with the substance of the content. It is just a typographical amendment.

Mr. Deputy Speaker: Member, how detailed you plan to be on it? I would like to give you the opportunity, but again, tie it in and just bring it closer because as the Minister of Finance says, it is just changes.

Mr. Imbert: It is just adding the word “land”.

Dr. Tewarie: Mr. Deputy Speaker, if you would give me the liberty I will raise four points on the industrial property.

Mr. Deputy Speaker: Four points?

Dr. Tewarie: Yes. And I will be very short and would not elaborate.

Mr. Deputy Speaker: Very brief.

Dr. Tewarie: Very brief.

Mr. Imbert: What clause would that be? We are just adding the word “land” after the word “commercial”. [*Crosstalk*] It does not affect the content. It is a grammatical change.

Mr. Deputy Speaker: Now, again, Member, according to the procedures we are not supposed to go into any debate. It is just the amendment coming out of the Senate and it is a word amendment. So I will give you one point. Bring in your main point. Bring in your main point, Member.

Dr. Tewarie: I understand you, Mr. Deputy Speaker—

Mr. Deputy Speaker: Because I am guided by procedures also. Fair enough, right?

Dr. Tewarie: Yes, okay, I understand, Sir. Mr. Deputy Speaker, I do not mean to be problematic at all, and I am surprised that the Minister would object to my making a couple of points on commercial property when they are included. Look 24A here, I see the word “Residential”, I see the word “Commercial”. He did not make any objection when I talked about residential, commercial, which he mentioned. Why would he make an objection in industrial. And the reason he is making that objection, Mr. Deputy Speaker, is because the industrial part of these property tax amendments remains very uncertain.

Mr. Imbert: Mr. Deputy Speaker, 48(1). All this is doing is adding the word “land” after the word “Residential”, “Commercial” and “Industrial”. That is all. We could have left it as is. It was simply a request coming from a Senator in the other place. Nothing to do with the content, just add the word “land” after the word “Industrial”. That is all.

Mr. Deputy Speaker: Member, Member, I already ruled, one point, proceed, right? I am giving you the opportunity for one point. If it is that you—one point.

Dr. Tewarie: I will make the one point.

Mr. Deputy Speaker: Right, one main point.

Dr. Tewarie: All right, because the one point—

Mr. Deputy Speaker: Because I am guided by procedure also.

Dr. Tewarie: I am grateful, Mr. Deputy Speaker, for you allowing me the one point. And I would be very succinct. I would like to ask the question on industrial property or make the point that the criteria for the evaluation of industrial property tax are not clear and it is not precise. There is a great deal of uncertainty about the valuation process and those can run into thousands of dollars in terms of industrial property. And that has implications for the climate of investment. It has implications—

Mr. Imbert: Mr. Deputy Speaker, we are simply amending Schedule 1 of the Property Tax Act which has type of property, residential, commercial, industrial and we are simply saying type of property, residential land; type of property, commercial land; type of property, industrial land. We are just adding the word “land”. That is all the amendment is doing.

Mr. Deputy Speaker: Member, I think your point has been made—

Dr. Tewarie: Yes.

Mr. Deputy Speaker:—in terms of what you are trying to portray. Accepted.

Dr. Tewarie: Thank you very much. I will stay away from it.

Mr. Deputy Speaker: You have another clause.

Dr. Tewarie: No, I will—I am finished with that now, Mr. Deputy Speaker—I will just close by saying that we must remember that these amendments are amendments to an amendment Bill that came here which amended the parent Act. And the question is, the parent Act was established in 2009, the amendment Bill was 2018 and we are now making amendments to that. The critical issue is whether these amendments really and truly and comprehensively rationalize the property tax regime in Trinidad and Tobago in a meaningful and fair way that is not prone to arbitrariness. And I would say that these amendments here do not in my view add anything if those are the objectives of the tax Bill in the first place. Thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: Member for Siparia.

4.00 p.m.

Mrs. Persad-Bissessar SC: Thank you very much, Mr. Deputy Speaker. A new clause is being inserted—a new section for the Act, section 3A. I am now looking at page 16 of the amendments. I have a question for you, hon. Minister. Based on the definitions given in the parent law as to what will constitute the asset to be taxed—and

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this is where, what you just did about saying residential land, commercial land, you changed your Schedule because it reverts back to the definition of land in the parent law. And, hon. Deputy Speaker, this is relevant to the new 3A but I have to tie them together. So “land” means, in the definition section of the Property Tax Act:

“(a) all land”—et cetera

“(b) land covered with water; and

(c) all buildings, or any part of any building”—

So, the building really becomes land—so we are taxing land. But then today, we are being asked to approve a section 3A, and it says:

Section 3A inserted, part (a) of that:

“Where-

(a) a building occupies separately from other buildings, a location on a single parcel of land, the building shall for the purposes of liability to tax under this Act, be deemed to be land;”

My question is this: If you have a dog kennel, a dog house on your premises; if you have a duck pond, as I do; if you have a fowl coop, a tool shed, and for those who have swimming pools—I do not have one—if you have like a little cabana, change place and so on, would each of those items be taxed? Will each one be, based on this 3A now? Or do I then have to go and try and take a piece of galvanize and join up? A person who has his fowl pen or dog kennel, and so on, how would those be treated? *[Interruption]* Please, I am asking a question. I am asking if you could kindly clarify them.

And further, based on an amendment made earlier today, it is clear that the minimum, or the ceiling of \$18,500 that was inserted in earlier in the session—\$18,500—

Hon. Member: \$18,000 flat.

Mrs. Persad-Bissessar SC: \$18,000. I cannot read my own handwriting—\$18,000. That was an amendment earlier today and which says that any one, any piece of land as defined in the law, that you will have to pay a minimum of \$540. That is what it will work out to. So if you have this dog house, whatever, the things I just mentioned, the dog house might be worth \$100 but if it is classified in this way, separately, do you then have to pay \$540, the minimum amount of money? So, do we pay for those?

Mr. Imbert: Several questions.

Mrs. Persad-Bissessar SC: Thank you, Mr. Deputy Speaker. That is all I want to say on this.

Mr. Imbert: That is it?

Mrs. Persad-Bissessar SC: Yes, Sir.

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Mr. Deputy Speaker, and I thank hon. Members opposite for their contributions, except, perhaps sometimes enthusiasm gets in the way of the Standing Orders because the Standing Orders are clear. When we are discussing amendments, we discuss the amendments only and not the parent Act. Even though you might want to do that, you cannot. You should not. *[Interruption]* No, no. I am talking about the Member for Caroni Central who has a tendency, whenever we are debating amendments, to debate everything under the sun, as a kind of an opportunity.

Dr. Tewarie: I was just debating one thing, Minister, one thing.

Mr. Imbert: Yes, that is all right. It is not relevant. So, let me deal with 3A now.

Dr. Tewarie: You will find out in the next two months.

Mr. Imbert: Let me deal with 3A. *[Laughter]* Yes, Mr. Deputy Speaker, it is not relevant to the debate on these amendments—

Mrs. Persad-Bissessar SC: But it is relevant to people.

Mr. Imbert: Of course, but not relevant to what we are doing today. So let me deal with 3A. *[Interruption]* Mr. Deputy Speaker, I do not know why the Member for Caroni Central is just muttering and mumbling. Could you—

Mr. Deputy Speaker: Minister of Finance, address the Chair. All right? I will ensure that things are taken care of.

Mr. Imbert: If you can stop him from muttering. Let me deal in reverse order with the question raised by the hon. Leader of the Opposition. This is intended to identify a building that is separate from another building. But when you get your valuation, it is the valuation of your property. So, you would have a piece of land on which there are separate buildings, so you would be liable to pay tax on the entire property, but each building would be valued separately. It is not that each building would attract a value of \$18,000, whether it is a small structure as you

have described it. It is the entire property contained within the boundaries of the piece of land.

Mrs. Persad-Bissessar SC: So the doghouse will be valued?

Mr. Imbert: No, it would not be valued at—Mr. Deputy Speaker, through you, the various little buildings will not each be valued at \$18,000.

Mrs. Persad-Bissessar SC: The total.

Mr. Imbert: Yeah, the total. So it is not that you have a fowl coop here, a duck pond there, a dog kennel there, a cabana there, “ a gazebo over so”, and each one would be 18,000. No. It is that the value of each one will be determined separately, and then when you add it all altogether, if it is less than \$18,000, it will be set at \$18,000. Okay? So it is not that each one will attract a value of \$18,000. It is the value of all the buildings on the land will be added up, and if they are less than \$18,000, they will go to \$18,000. Okay? Does that clarify the issue?

Hon. Member: No.

Mrs. Persad-Bissessar SC: So it means in valuing the premises we will be valuing the doghouse or the duck pond or the—

Mr. Al-Rawi: That is called collective appurtenances.

Mrs. Persad-Bissessar SC: And then you get a cumulative total from each item that is valued. So those matters are going to be valued. So, Minister, please, I am just trying to understand it, because many people do have a dog kennel or a little fowl pen or duck pen, as the case may be; cowsheds and so on, goat pens, temples. Some people have their temples in their yards, and so on. So even if—I am speaking now for those most vulnerable, even if it is that a person has a building that is really worth a few hundred dollars—so you have plyboard; in some cases it is straw roof—what do you call it?—thatched roof?—carat. I remember I used to live in a place like that once. Carat roof, plyboard or galvanize, as the case may be, and then the little doghouse and all of that comes up, maybe \$1,000 or \$2,000, but I will be valued at a minimum of \$18,000. That gives me a little concern. I cannot speak to that. I should not be, because that was the amendment to the valuation that you made. You have a ceiling. Everybody, regardless of what it is that is on your property, you are going to be valued as \$18,500. So it was just a concern. You have cleared it. I will have to pay tax for the doghouse. That is basically what it is.

Mr. Imbert: Now, Mr. Deputy Speaker, I will answer the question posed by the Leader of the Opposition. I notice other Members do not seem to understand—on her side, do not seem to understand what we are talking about, because they are muttering all sorts of contradictory things and introducing mischief as the hon. Leader of the Opposition was speaking.

Let me clarify it. You have raw land which has a value, and on this raw land you would have structures. So the value of the property is the value of the raw land plus the value of the structures. So even the example given by the hon. Leader of the Opposition, even though these items may not have significant value, they may be valued at \$5,000, \$10,000 as the case may be—and you would be surprised. I think you should talk to the Member for Tabaquite at how much even one of those little structures now cost to construct. You would be surprised. You will be really surprised. Because this works out at \$40 a month. This is what it is, \$40 a month.

So that, it is the value of the raw land plus the value of all the structures on the land. When that valuation is done, the raw land plus the structures, it comes up to less than \$18,000, an \$18,000 valuation is placed on it, making the minimum property tax liable to be—

Mrs. Persad-Bissessar SC: \$540.

Mr. Imbert: Well, you have to take out 10 per cent for voids. So it is \$480. So it is about \$42—\$480 approximately, when you take out the 10 per cent for voids. So it is about \$42/\$43 a month. And, if someone is unable to pay that \$42, then the other section of the law kicks in where, because of your financial situation you are unable to pay the tax, you apply for a waiver. So if someone is unable to pay that \$40 they can apply, on the basis of hardship, to be exempted from the tax.

So the purpose of this amendment is simply to say, you have a piece of raw land—because a building cannot exist in space. So the assessed value is both the value of the raw land plus the structures on it, whether they be shacks or the examples that you have given. And as I said, once you value the raw land and you value the structures and you come up to less than \$18,000, it is set at \$18,000, which results in a tax of \$40 a month, and if you cannot pay \$40 a month, you apply for relief to the Valuation Tribunal.

Mrs. Persad-Bissessar SC: In other words, every structure, whether doghouse, duck pond, or whatever, all are going to be put in the cumulative value. Another scenario, Minister, if you can explain, is where you have a piece of land,

there is no structure, you have no commercial activity on it; it is just a piece of land—you mentioned raw land before. So it is not commercial. You are not planting on it so it is not agricultural. In other words, it is land sitting there. How would we classify that into the three categories you have given us: commercial, industrial and—what is the other one?—residential. How would it be, please?

Mr. Imbert: Sure. The classification is based on the zoning. So, if you have a piece of land that is approved for agriculture and the classification has not changed, it would attract the tax of 1 per cent for agriculture. If you have sought a change-of-use, and you have received a change-of-use and the building is now zoned for commercial by Town and Country Planning, then the raw land will attract the commercial value of that particular raw land.

If you apply again for a change-of-use—let us start with the least common denominator—agricultural land. If a piece of land is approved by Town and Country Planning and zoned as agriculture, it will attract 1 per cent of its rental value, which, in most cases of agricultural land, may be \$100, or something like that. It would be minimal. The tax on agriculture land is the rental value at 1 per cent is very small—\$100/\$80.

If someone has a large piece of agricultural land and they want to convert it to housing, they would apply to Town and Country Planning, and if they receive a change-of-use, now that piece of land will be zoned for residential purposes and now will attract a different value. If you chose to sell it now, with the approvals that you have received, converting from agricultural to residential, of course, it will have a different value and will now attract 3 per cent of whatever that residential value is.

If you had a piece of residential land now—let us keep going up the scale—and you want to convert it to commercial land—

Mrs. Persad-Bissessar SC: Or the other way around.

Mr. Imbert: Or the other way around. Yes, you go the other way. But let us go up. Residential land, you want to convert it to commercial, you apply to Town and Country Planning. You go through the process. You get approval now to change the use of that land from residential to commercial. Again, it will attract a higher value—the raw land—and have a higher percentage applied to it, and industrial, as the case may be. So that is how the tax will be applied to raw land. It is based on its approved use by the Town and Country Planning Division. Okay?

Mrs. Persad-Bissessar SC: May I ask a question?

Mr. Imbert: Sure.

Mrs. Persad-Bissessar SC: Thank you very much. So what happens where it is a squatter? I think some of our speakers before raised the issue of squatters, where they do not have any title. Does it mean that whatever that land was classified as at some point in time, way back when, what tells me—if I hold title maybe that will tell me my land is on agriculture, or my land is, what you have just said, residential, and so on. What about those without title? What determines the zoning? What determines that zoning? Is it Town and Country then that says—and therefore every parcel of land in Trinidad and Tobago is at present classified as either residential, commercial or—

And the second question is, you mentioned when the valuation is about 50 per cent the whole thing will kick in and you will be able to collect your taxes. Do you have any idea of how many properties are valued thus far? You have to reach 50 per cent. So, how many are to be valued? How many have already been done? And then we will have an idea of how much is outstanding of your target of 50 per cent. So, please, two sets of questions, hon. Minister.

Mr. Imbert: Firstly, in dealing with your earlier question, I just want to point out in the amendment Bill we had a very similar clause. In other words, what you are seeing here in 3A is not brand new. Although it is a new clause it is not brand new. Because in clause 3 of the original Bill, we had:

“Where—

a building occupies separately from other buildings, a location on a single parcel of land, the building shall for the purposes of liability to tax under this Act, be deemed to be land;”

So that was already there. All we did was separate it in the definition section. It was one of the Senators in the other place who said, “Look, I doh think that should be in the general Interpretation section. Let us create a new section and put it all on its own”. And that is why we have a new clause 3A. Because we have hived that off from what was already there, already passed in this place.

With respect to the number of properties, I am sorry, I do not want to talk out of turn. I would certainly be prepared to answer those questions. [*Interruption*] I do not wish to talk out of turn today and give information on how many properties have been valued, how many are being valued, how many will be valued. I would prefer not to answer that at this point in time, but I undertake to answer it as soon as possible in the future. So, let me go back now to—

Mr. Deputy Speaker: Minister of Finance, the Member for Caroni East is trying to get your attention. Will you give way?

Mr. Imbert: Sure.

Dr. Gopeesingh: Thank you very much, Mr. Deputy Speaker. Hon. Minister, could you give some elucidation or some clarity on the aspect of the industrial property in relation to the equipment or machinery, how you value that in terms of the overall—let us say a manufacturing company has a number of equipment, machinery, and so on, on their entire plant, how would you come about to do that evaluation? Because those are some of the questions that are being asked of us, and we cannot give an answer to it. For instance, I am in my medical practice, or anybody, and they have a large piece of equipment valued about \$1 million, how do you value that? Give some clarity to it for us, please, if you can.

Mr. Deputy Speaker: Minister of Finance.

Mr. Imbert: Thank you, Mr. Deputy Speaker. I myself do not wish to run afoul of the Standing Orders. That is not an amendment before us. I am sure we can discuss it at another time, but that is not an amendment before us. How you value a piece of machinery does not appear on any of this list of amendments. I am sure, hon. Member, we can come to some resolution. I understand it is important. I am not trying to, in any way, downplay what you have said. It is a very important question. In fact, it has been raised with me by the Trinidad and Tobago Manufacturers' Association and it is something we need to clarify, but it is not on the list of amendments.

So, unlike the Member for Caroni Central, I do not wish to run afoul of Standing Order 48(1). So let us go now—I know hon. Members opposite have no problem with running afoul of 48(1), but I have a problem with breaching the Standing Orders, so I do not intend to breach them.

Dr. Tewarie: We will remember that—

Mr. Imbert: Let us now go to—

Mr. Deputy Speaker: Member, you are in your winding-up, eh?

Mr. Imbert: Yes, I am. I am just dealing with questions asked. I was asked a question about 25, why not trade unions? We had some debate on this in the other place. But there are some trade unions—not all—that have investment property earning millions of dollars—very wealthy ones. What do you have to say about that, hon. Member for Couva South? I notice you are grinning. There are some trade unions that have a lot of investment property and we saw no reason why we

should exempt trade unions. Why? Because then, you should exempt the Chamber of Commerce: the Trinidad and Tobago Chamber of Commerce; the Tunapuna Chamber of Commerce; the Penal/Debe Chamber of Commerce. We should exempt them too, if you are going to exempt trade unions who own investment properties earning income. So we did not see it was fair and reasonable to just single them; take them out.

With respect to common areas, this is an issue raised by the Member for Oropouche East and I want to reassure the Member for Oropouche East that once the hon. Member refers to matters that actually do exist and are written, you will get a very comprehensive response from myself. It is only when the hon. Member refers to imaginary things that you are not going to get a response. [*Interruption*] No, we are dealing with an issue here. It is a question raised on—what is it?—new clause 3A, and the question was raised on multiple owners in a building, and what would happen if the owner of the property, taxes individual owners and then the government taxes.

In the first place, property owners cannot tax anybody. It is only the Government that collects taxes. But, there is no doubt that charges are levied for maintenance of common areas. The tax on common areas would either be paid by the owner of the property—because there are two ways a property developer can develop a multi-use building. He can retain ownership of the common areas for himself and he can charge the other persons who own parts of the building a fee for the use of the common areas. That is one way. Or each individual property owner gets a share in a company, which together owns—so if you have a building with say, 50 apartments, each apartment owner will get one share out of 50 and they all own shares in the company which would have a board of directors elected by the individual owners and they will make decisions. So it is either/or.

Either the company which would be owned by shares of all the individual owners, or the original owner would retain the common areas. They will be liable for tax. So there is no way, unless there is a breach of the law, that an individual owner could be taxed twice. You are only taxed once. And the other tax for the common areas goes to either the company or the original owner. So, it is an area which could cause some confusion, but as we go along we hope that landlords will be sensible and not try to tax people in breach of the law.

Mr. Al-Rawi: That is an easy formula. There could never be double taxation.

Mr. Imbert: With respect to the request that regulations be affirmative, well, I should let the hon. Member know, in the current law is no oversight by

Parliament at all. It simply said, in the Property Tax Act of 2009—which, through you, Mr. Deputy Speaker, the hon. Member, when he was in Government, never sought to change—there is no parliamentary oversight. So we thought to make a step and make it negative. So it is laid in Parliament by negative resolution and every Member of Parliament gets to see what the regulations are and can debate them.

And, basically, that is it, Mr. Deputy Speaker. I think I have answered all the questions. I thank hon. Members for their contributions and I beg to move. [*Desk thumping*]

Question put and agreed to.

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Mr. Deputy Speaker, I beg to move that this House do now adjourn to a date to be fixed.

INDIAN ARRIVAL DAY (GREETINGS)

Mr. Deputy Speaker: Hon. Members, before I put the question on the Motion for the adjournment of the House, I am sure Members are aware that we will be commemorating both Indian Arrival Day and the Feast of Corpus Christi on Wednesday, May 30, 2018 and Thursday, May 31, 2018, respectively. We will be doing Indian Arrival Day greetings at first.

Hon. Members, May 30, 1845, marked the arrival of the *Fatel Razack* to Trinidad, bringing not only a source of labour for the estates, but a new people with a new culture transforming the socio-cultural landscape of Trinidad and Tobago. I will now call upon Members to express greetings on the occasion of Indian Arrival Day. I recognize the Minister of Health, Member for St. Joseph.

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, Trinidad and Tobago has the distinction of possibly being the first country to recognize Arrival Day as a public holiday. In 1945 we would have celebrated the 100th Anniversary of that day, and it was declared a public holiday in 1995 in commemoration of the 150th Anniversary of this arrival.

Mr. Deputy Speaker, when one looks up the meaning of the word, “arrival”, you get words like “dawn”, “a new beginning”, “a new way of thinking”. And “arrival” that we celebrate today is not only the arrival of a people but the arrival

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of one people with different ethnicities, cultures and religions. Not only did Hindus arrive, but also Muslims arrived. Not only did Hindus and Muslims arrive, but some Christians also arrived.

Some of the 143,959 persons that came between 1845 and 1917 did not only come from India directly. In tracing the Presbyterian roots on my wife's side of the family, it was discovered that some Indians actually went to Scotland, and in Scotland, converted to the Presbyterian faith. And when they heard that their relatives in India were coming to Trinidad, they also came to Trinidad as Scottish Presbyterians. So, the arrival of East Indians is the arrival of Hindus, Muslims and Christians that give us this great cultural mix that is Trinidad and Tobago. And I ask: Where would we be without Divali? Where would we be without Phagwa, Petar Pack; where would we be without Eid-ul-Fitr and Eid-al-Adha, especially in this month of Ramadan.

But, Mr. Deputy Speaker, what is more important with these peoples of different ethnicities and different cultures is the values of these religious festivals, the values that all these different peoples have brought to Trinidad and Tobago. Arrival Day, as we celebrate it now, has a lot to do with nation building, and nation building is a journey, not a destination. We have not yet arrived as a nation. We are still going along that path. And I want to say that we should be counting our blessings that we could do so and be able to express ourselves as descendants of Hindus, Muslims and Christians, as we give voice and wing to our watchwords: Discipline, Production, and most importantly, Tolerance.

We, as human beings, with human frailties, only have temporary dominion over matters of State—all of us here, temporary dominion over matters of State. On the way to nation-building there will be days of very smooth passage, but it may be punctuated by times of tempest. What will define us, Mr. Deputy Speaker, as a people of Indian origin, also as we mix with people of African origin, European origin, and Chinese origin, in this great social experiment we call Trinidad and Tobago, is how we deal with times of tempest, how we celebrate our manifest differences bequeathed to us by our Indian forefathers, who, as people of different ethnicities, crossed the dark waters in the same ship. They crossed those waters on the same ships as brothers and sisters, looking for that new arrival, as I spoke to earlier, that new dawn, that new beginning.

And, Mr. Deputy Speaker, that is why the words of our national anthem—"Here every creed and race find an equal place"—are so important, as we celebrate Arrival Day today.

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Dr. Moonilal: It is Indian Arrival Day.

Hon. T. Deyalsingh: And it is the only words in the anthem: “Here every creed and race find an equal place”, mentioned twice.

Mr. Deputy Speaker, as I close, I want to refer to the original meaning of “arrival” , a new dawn, and in the words of someone called Cat Stevens, who became known as Yusuf Islam, when he wrote a song called: “Morning has broken” he quoted in that song, “like the first morning”. Let the first dawn that the first indentured labourers saw and all its possibilities be akin to the morning that we, as their descendants will see tomorrow, full of possibilities. Congratulations to our Indian brothers and sisters and I thank you for the opportunity, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: I now recognize the Leader of the Opposition, Member for Siparia. [*Desk thumping*]

4.30 p.m.

Mrs. Kamla Persad-Bissessar SC (Siparia): Thank you very much, Mr. Deputy Speaker. I must say my colleague is resplendent today, but I will not dwell. I endorse some parts of what he said. So thank you very much for this opportunity to bring greetings to those of us gathered here, and to the national community on the occasion of Indian Arrival Day. We celebrate on Wednesday, 173 years when the first group of immigrants arrived on our shores. They began a period of indentureship in the hope of providing a better future for themselves and for their children. It was a vision which they lived, and ensured, and laboured to make it a reality.

Today, their children and grandchildren occupy positions and have successfully pursued careers which have contributed in no small manner to the building of the nation of Trinidad and Tobago. It is amazing that though many of them could not read nor write, they knew the importance of education as a pathway out of poverty and for success.

On that first journey in 1845, about 200 Indian women, men and children came on that first voyage with the *Fatel Razack*, and thereafter tens of thousands arrived. And I am told that when they disembarked, when they came off the ship, they bowed in reverence, humility, modesty and character. They prostrated and said touching the earth, *Jai Dharti Mata*. *Jai* means victory, and *Dharti* means land and, of course, *Maa*, mother. *Jai*, victory to the motherland. These were the Hindus. They did this as they pledged their allegiances to mother Trinidad and Tobago.

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Our Muslim brothers and sisters performed *Salaah*, signalling that whilst they turn to East they have not forgotten the values of the Holy Land Mecca no matter how far away they were. Today, this remains for me the foundation for the values of those who came out of India and settled here, and the descendants of those ancestors in Trinidad and Tobago. And the foundation is that of values, principles and teachings.

Mr. Deputy Speaker, when they came and, as I said they prostrated themselves and saw allegiances to *Dharti Maa*, thereafter they did not know the hardships that they would have to endure, the inhumane conditions on the plantations, and the question then arises: Why do we celebrate Indian Arrival when it is that they arrived to work in such really harsh inhumane conditions? Why? Why should we pay respect for this? I think it is because of what our ancestors demonstrated, the indomitable will, the enduring spirit of those who came out of India throughout those years and their descendants thereafter. That is most admirable, Mr. Deputy Speaker, and worthy of celebration. Whilst we celebrate that endurance, spirit and courage, for us who observe this day, it is a most important reminder to us of the value of gratitude. We are what we are today because of their sacrifices.

We must live in an attitude of gratitude to them. A nation which does not have gratitude towards their ancestry will certainly be a poorer nation. Many died in the harsh conditions, but they used every means, those who survived, to so survive, and it is difficult for us, I think, to grasp the very horrific conditions in which they existed and managed to eke out a living. But perhaps the one redeeming factor—and I think my colleague did mention this, the Member for St. Joseph—was the struggle to keep their culture, their dress, their language and their religions.

And they came, when they came, with the holy books which guided them and which still guide them today, many of them. And so, the Hindus came with the Ramayan and the Muslims came with the Qur'an, the two holy books of those who came to Trinidad and Tobago, and the Christians who came with their Bible, but the majority were with the Qur'an and with the Ramayan. And that was their most fundamental philosophy and principal guiding light in terms of living their lives.

Their most precious institution was the family, and they made education the cornerstone of family life so that their children could escape the drudgery which had characterized their own lives. They stayed in Trinidad because they saw an opportunity to own land, to grow crops, to practise religion, to educate their children, in many ways, recreate the homes they had left behind.

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As they became free from their contracts, relationships that began on the voyages across the oceans were consolidated, and bonds that were created were strong and lasting. They created a community characterized by sharing and togetherness based on respect for one another. It was a place where they nurtured generations of responsible men and women. When we look at their legacy, the legacy of our forefathers who lived through the struggle of indentureship and took the decision to make this land their home, we must certainly celebrate Indian Arrival in Trinidad and Tobago.

We celebrate the incorporation of their customs and traditions of their ancestral home into their new home, Trinidad and Tobago, in which they created a community that has blossomed into the greatness that we have today. We take pride in what, as a community, we have been able to achieve and a special contribution to nation building. We celebrate the contributions of those persons who came from other countries, other ancestors, who have all together given us the vibrant, multi-ethnic, multicultural and multi-religious society that is Trinidad and Tobago. We celebrate and honour the sacrifices made by all of our ancestors, from whence they came, because we have come from all the great countries of the world, and from the great religious organizations and beliefs from all across the world making us so unique in what we are and who we are as a nation.

And that is why I have said, "Let not our differences divide us. Let our differences unite us, and let us take delight in our differences and make sure that those do not divide us at all." As we celebrate this occasion, we must continue to work together to build a stronger more prosperous future for our children, and those after them, to return Trinidad and Tobago once more to growth and prosperity and into a united nation which we can all feel very proud to call home.

Mr. Deputy Speaker, today I look upon this land and I say, as I stand in the Parliament of Trinidad and Tobago, *Vande Mataram*, Mother Trinidad and Tobago, I bow to thee, my Mother, the land of my birth.

I thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, I too would like to extend warm greetings to our East Indian community on the occasion of Indian Arrival Day. The East Indian immigrants brought with them their rich and vibrant culture, festivals, music, cuisine and religions which are ingrained into the very social fabric of Trinidad and Tobago. Not only is Indian Arrival Day a national holiday, it is also a day of commemoration and reflection in recognition of the history and struggles of these courageous people.

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On behalf of the Parliament of Trinidad and Tobago, I take this opportunity to wish you a happy and peaceful Indian Arrival Day, 2018. [*Desk thumping*]

CORPUS CHRISTI

Mr. Deputy Speaker: We will now have greetings on Corpus Christi. Corpus Christi is a celebration of the institution of the Holy Eucharist and is significant by special displays of devotion to the Blessed Sacrament. I will now call upon Members to express greetings on the occasion of the feast of Corpus Christi. I will now recognize the Acting Prime Minister, Minister of Finance and Acting Minister of Housing and Urban Development.

The Acting Prime Minister, Minister of Finance and Acting Minister of Housing and Urban Development (Hon. Colm Imbert): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, the Feast of Corpus Christi, also known as the Feast of the Body of Christ, is celebrated on the eighth Thursday after Easter. I think I better give a little appreciation of the seasons of the Church so we can understand Corpus Christi in context.

In the Catholic Church, the first season of the Catholic Church is Advent which begins four Sundays before Christmas and literally means “the coming”. Then we have the season of Christmas which is the celebration of the birth of Christ. After the season of Christmas, we have the Epiphany celebrating the visit of the wise men to the infant Jesus. Following the Good Friday and Easter celebrations we have the season of Lent, and after Lent is over—sorry. We go to Lent and then after that we have the season of Easter.

For those of us who went to church yesterday, you have been aware that yesterday was the celebration of the Trinity. So yesterday was Trinity Sunday, and the Trinity is one of the most difficult concepts in the Catholic religion and the Christian religion to comprehend. But following Trinity Sunday that brings us to an end of the Easter season in the Catholic Church, and immediately after Trinity Sunday, on the Thursday after Trinity Sunday, we have the celebration of Corpus Christi which is the celebration of the Body of Christ.

And as I move now to a little illustration of exactly what it is, the celebration of Corpus Christi celebrates the presence of the body and blood of Christ, one of the sacraments of the Eucharist. According to the Christian religion, on Holy Thursday, the day preceding his death, Jesus met the apostles for the Last Supper when he said, “This is my body” pointing to the bread, and “This is my blood” pointing to the wine. Catholics around the world acknowledge the gift of the Eucharist and they believe that God is food of the soul. In the Corpus Christi

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celebration there are three purposes: honouring Jesus Christ; asking for forgiveness from Jesus for what was done to him; and protesting against those who denied the presence of God.

In Trinidad and Tobago, we celebrate Corpus Christi with a solemn mass which will be celebrated this year at the Grand Stand in Port of Spain, following which there will be a procession to the courtyard of the Cathedral on Independence Square, and all Catholics who are devout Catholics participate in this procession from the Savannah to the Cathedral downtown. This is the feast of immense importance to Catholics. We celebrate the host, we celebrate the meaning of the Eucharist, we celebrate the Last Supper, and we celebrate the transubstantiation of the body of Jesus Christ.

So on behalf of the People's National Movement Government, and on my own behalf, I want to give the most holy expression to this Christian celebration to all Christians in Trinidad and Tobago, and all others who will join with Christians in celebrating the Feast of the Eucharist, the Feast of Corpus Christi.

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

Mr. Rodney Charles (*Naparima*): Mr. Deputy Speaker, I am pleased to bring greetings to the Roman Catholic community of Trinidad and Tobago on the commemoration of Corpus Christi, the Body of Christ. Roman Catholicism in our country is a by-product of the strong Catholic influence as a consequence of the secular population in 1783 which opened Trinidad and Tobago to immigration from the French Caribbean islands, and this brought about an enrichment of the tapestry, cultural and otherwise, of our culture.

It brought names like the Pantins, like the De La Bastides, like the Dubreys, the Imberts, the Monteils and De Verteuls, who have enriched our country and contributed significantly. The most sacred event in the Roman Catholic calendar celebrates the tradition and belief in the body and blood of Jesus Christ, and his real presence in the Holy Eucharist. Corpus Christi is primarily celebrated by the Roman Catholic Church, and in some countries where Catholicism is one of the dominant religions it is celebrated as a national holiday.

We are blessed in Trinidad and Tobago to have people of strong faith, and a nation in which many religions, ethnicities and cultures live together in harmony. Locally, one of the traditions of Corpus Christi is planting seedlings of trees as it is considered a good time for the activity, as it is believed that anything planted on this day will thrive. For me, I have fun memories of spending Corpus Christi with my late father and my brothers planting pigeon peas and corn, and later sharing

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the fruits of our labour. I am sure that many families share such experiences and memories. In my case, my father was strict, a schoolmaster, and it was activities like this built around events like Corpus Christi that bonded our family together.

Let us ensure that we strengthen the values of mutual respect and deepen the bonds of friendship among all citizens in our country. Just as the belief that planting on this day brings the best harvest, so too must we consider that devotion on this day will renew our strong nationhood and unity. We must always put God in front and follow him in all that we do and all that we hope to accomplish individually, and as a nation. On behalf of the Opposition, the United National Congress, I extend Corpus Christi greetings to the Roman Catholic community and all citizens of our country. May God bless our nation. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, on behalf of the Parliament of Trinidad and Tobago, I too would like to extend warm greetings to our Catholic community and to all citizens of our nation on the occasion of the Feast of Corpus Christi. I urge us all to embody the compassion and sacrifice of Jesus Christ and to be the Body of Christ for each other. Indeed, it is my hope that as we continue the local tradition of planting on this day, that we also plant and nurture the seeds of love, patience, kindness, goodness, faithfulness, gentleness, and self-control. I wish you all a holy and joyful Feast of Corpus Christi. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.47 p.m.