



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

2nd Session - 11th Parliament (Rep.) - Volume 6 - Number 45

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE BRIGID ANNISSETTE-GEORGE
SPEAKER

THE HONOURABLE ESMOND FORDE
DEPUTY SPEAKER

Wednesday 14th June, 2017

CLERK OF THE HOUSE: JACQUI SAMPSON-MEIGUEL

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HOUSE OF REPRESENTATIVES*Wednesday, June 14, 2017*

The House met at 1.30 p.m.

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

Madam Speaker: Hon. Members, Mr. Esmond Forde, MP, Member for Tunapuna; Dr. Fuad Khan, MP, Member for Barataria/San Juan; and Mr. David Lee, MP, Member for Pointe-a-Pierre, have asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

**JOINT SELECT COMMITTEES
(ESTABLISHMENT OF)**

Madam Speaker: Hon. Members, I have received the following correspondence from the Vice-President of the Senate, dated 14 June, 2017:

“Dear Honourable Speaker

Establishment of the Joint Select Committee

I wish to advise that at a sitting held on Tuesday June 13, 2017, the Senate concurred with the House by agreeing to the following resolutions:

(i) Resolved:

that a Joint Select Committee be established to consider the First Report of the Committee established to Review the Levels of Health Care Delivery by the Regional Health Authorities and to Rationalise the System of Public Sector Doctors in Private Practice as well as the Second Report of the Committee to Review the Levels of Health Care Delivery by the Regional Health Authorities and to Rationalise the System of Public Sector Doctors in Private Practice, laid in the House of Representatives on November 9, 2016 and March 24, 2017, respectively.

that this Committee be mandated to:

- (a) review and analyse the Reports;
- (b) consider the findings and recommendations contained in the Reports; and
- (c) report its observations and recommendations no later than June 30, 2017.

JSC (Establishment of)
[MADAM SPEAKER]

Wednesday, June 14, 2015

(ii) Resolved:

that a Joint Select Committee be established to consider the Draft National Development Strategy 2016-2030 (Vision 2030):

that this Joint Select Committee be mandated to:

- (a) review and analyse the Draft National Development Strategy 2016-2030 (Vision 2030);
- (b) consider the recommendations contained in the Draft National Development Strategy 2016-2030 (Vision 2030); and
- (c) report its recommendations for the development of a National Development Plan no later than June 21, 2017.

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

Respectfully,

Senator Nigel De Freitas

Vice President of the Senate”

PAPERS LAID

1. Audited Financial Statements of the National Flour Mills Limited for the financial year ended December 31, 2016. [*The Acting Minister of Finance, and Minister in the Office of the Attorney General and Legal Affairs, and Minister in the Office of the Prime Minister (Hon. Stuart Young)*]
To be referred to the Public Accounts (Enterprises) Committee.
2. Trinidad and Tobago Gas Master Plan—Final Report. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]
To be referred to the Joint Select Committee on Energy Affairs.
3. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) Order, 2017. [*The Minister of Housing and Urban Development (Hon. Randall Mitchell)*]
4. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) (No. 2) Order, 2017. [*Hon. R. Mitchell*]
5. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) (No. 3) Order, 2017. [*Hon. R. Mitchell*]

URGENT QUESTIONS

**Rochard Douglas Health Centre
(Infestation of Numerous Vermin)**

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): To the Minister of Health: In light of reports that the Rochard Douglas Health Centre was shut down on June 12, 2017, due to an infestation of numerous vermin, could the Minister indicate the definitive action that will be taken to ensure citizens will receive necessary medical attention in the community?

The Minister of Health (Hon. Terrance Deyalsingh): Thank you, Madam Speaker, for the opportunity to answer this urgent question. I can state categorically that the Rochard Douglas Health Centre was not shut down on Monday due to vermin. The centre last week was identified to have a sanitation problem due to bat droppings. The centre was proactively cleaned over the weekend of 10th and 11th, which was last weekend, but there was residual odour, and that is why we had to close the centre. What was shocking about this—and service resumed yesterday as promised—is the absolute neglect of this health centre over the past few years. It is only this administration, under this Prime Minister, and under this Minister of Health, is paying attention [*Desk thumping*] to health centres like the Rochard Douglas. The last administration's health agenda was built on one facility to deify one person.

This administration has issued a contract to fix the Rochard Douglas Health Centre once and for all, because those people deserve better health care than was provided for them recently. And I can tell you, due to that neglect, the tenders have been out, and the works are going to be done and completed within three to four weeks' time—three to four months, sorry. During that period, the good people would be accessing their health care through the Lengua Health Facility, because this administration does not discriminate, and we are not putting all our eggs in one basket, when it comes to the delivery of health care. We recognize that we have to fix a lot of health centres and do a lot of work in a lot of hospitals. Thank you very much. [*Desk thumping*]

Mrs. Gayadeen-Gopeesingh: Hon. Minister, under whose jurisdiction does this Rochard Douglas Road Health Centre fall? Is it the South-West RHA? And what was their function with respect to—

Madam Speaker: One question.

Hon. T. Deyalsingh: The Rochard Douglas Health Centre, as you know and I know, falls under the jurisdiction of the South-West Regional Health Authority, and under your watch, or the last administration, little or no attention was paid to it.

We, this PNM Government, are now paying attention to the Rochard Douglas Health Centre, and as I have indicated, when I saw the conditions there, I said this has to be fixed, and therefore as I said, the contracts are out and the facility will be fixed.

Mr. Padarath: Thank you, Madam Speaker, supplemental to the hon. Minister. Hon. Minister, in light of the construction or the repair work that will take place at the Rochard Douglas Health Centre, you have indicated that Lengua facility would be used. Could you give us an idea of what re-enforcement would be provided at Lengua, seeing that they too have had many challenges with respect to lack of medication and problems at that facility of recent?

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

**Preysal Government School
(Update re Current Closure)**

Dr. Bhoendradatt Tewarie (*Caroni Central*): Sorry, Madam Speaker. To the Minister of Education: Could the Minister please give an update on solutions to the current closure of the Preysal Government School?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam Speaker. The Preysal Government Primary School was experiencing sewer problems that caused an unbearable scent. This was attended to and the works were completed around May this year. However, it seems as though the scent has returned, and only today we received information that because of the unbearable scent, parents are keeping their children home. Immediately, we instructed EFCL to pay a visit to the school tomorrow at 9.00 a.m. to effect the necessary repairs. Thank you very much.

Dr. Tewarie: Minister, through you, Madam Speaker, as you yourself indicated, this was a problem that has been attended to and not going away. There is also a new school—

Madam Speaker: Member, could you ask the question? It is 15 seconds.

Dr. Tewarie: Yes, I am going to ask the question, Madam Speaker, but I must outline the question.

Madam Speaker: Well, you have 15 seconds.

Dr. Tewarie: There is a new school that is 60 per cent complete near to it. Can the solution involve, Mr. Minister of Education, the completion of the new school?

Hon. A. Garcia: Thank you very much, Madam Speaker. As I had indicated some time ago, the Ministry of Education has identified 10 schools that require urgent attention. The Preysal Government Primary School was not among those 10, simply because that school was only 40 per cent complete. Those schools that we have identified were in the region of 90 to 95 per cent complete, and this is the reason why we have shifted the priority, so that we are going to look at the Preysal Government Primary School in the next fiscal year. Thank you.

**Garth Road and Barrackpore Areas
(Works re Landslips)**

Mr. Ganga Singh (*Chaguanas West*): Thank you. Madam Speaker, in the absence of my colleague who is currently in the traffic, the Member for Naparima—to the Minister of Works and Transport: Given that rainy season has started could the Minister state the works, if any that have been done, to treat with the numerous landslips in both the Garth Road and Barrackpore areas?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. This year the Ministry completed an inventory of all the landslips which exist throughout Trinidad and Tobago. That is approximately 800. There were nine landslips between the Garth Road and the Barrackpore area. The Ministry through its landslip programme has identified 30 landslips, based on the most critical at this stage, and that is in the stage of the design stage for the tendering process. What the Ministry has in place, based on the critical nature of the other landslips, we do shoring and drainage to ensure that the slippage is controlled on the rest of the landslips. Thank you.

**Direct Deposit System
(Option to Access Grants)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker. To the Minister of Social Development and Family Services: Could the Minister clarify for all recipients of senior citizens' pensions, public assistance grants and disability grants whether the avenue of the direct deposit system will be the only option available to access the said grants as of June 2017 and beyond?

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Madam Speaker. [*Desk thumping*] The direct deposit initiative was re-launched in June 2017 for all recipients of the social welfare grants. These are recipients of the senior citizen pension, public assistance grant, and disability assistance grant. Applicants will be placed on the direct deposit system on a phased basis as applications are

processed, and the Ministry expects to complete the exercise by December 2017. In the interim, beneficiaries will continue to be paid by cheque. Madam Speaker, the Ministry recognizes, however, that some persons either do not have or may never be able to open accounts with banks or credit unions, and so we anticipate that 5 per cent of our 102,000 recipients will continue to be paid by cheque.

Mr. Indarsingh: Thank you, Madam Speaker, just a supplemental. Is the Minister aware that at certain district offices and so on, officers of her Ministry are insisting that persons submit bank statements—not bank accounts, eh—and members of staff are insisting that they present bank statements with a history, like six months, and quarterly statements, and so on? So, if this is happening—and I was actually present in a district office with my mother who went to sign off her life certificate.

Madam Speaker: Member! Member, the question!

Mr. Indarsingh: The question is, to provide clarification, and is she aware that this is happening?

Hon. C. Crichlow-Cockburn: Madam Speaker, I am not aware of any such situation. And I wish to inform this House and the general public that that is not a requirement. Given that the Member for Couva South has indicated that it has taken place, it will be investigated, and our members of staff will be informed and we will reinforce the fact that they are not to request bank statements from our customers. [*Desk thumping*]

National Lotteries Control Board Chairman (Provision of Security)

Dr. Roodal Moonilal (*Oropouche East*): To the Minister of Finance: In light of a response to an Urgent Question on June 9, 2017, could the Minister indicate the circumstances surrounding the provision of security for the Chairman of the National Lotteries Control Board (NLCB) by the NLCB?

The Acting Minister of Finance and Minister in the Office of the Attorney General and Legal Affairs, and the Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. In June 2016, the board of the NLCB approved the move to suspend all recurrent sponsorship arrangements, pending the conduct of an audit by NLCB's marketing and public relations department, on the validity of recurrent sponsorships. As a result of this move, the Chairman of NLCB received a number of threats which he took seriously. He proceeded to retain his own personal security services. He brought this to the attention of his board members in August 2016. His board

members, having been told of the threats and the security concerns suggested—no, they instructed and insisted that he broach his security concerns with the Director of the NLCB. After that, certain decisions were taken, and he was provided with security services until November 2016, at which time it ceased.

Dr. Moonilal: Could the Minister indicate whether the Chairman, having received these threats, took any steps to report it to the Trinidad and Tobago Police Service?

Hon. S. Young: Madam Speaker, I am in receipt of no such information. I do not know the answer to that.

Dr. Moonilal: Could the Minister indicate, as Acting Minister of Finance now, what was the cost to the taxpayer for the provision of such security?

Hon. S. Young: Madam Speaker, that was not in the original question. I do not have that information.

ORAL ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. We will be answering all questions.

Purchase of Massy Communications by TSTT (Workers to be Displaced)

145. Miss Ramona Ramdial (*Couva North*) asked the hon. Minister of Public Utilities:

Could the Minister inform this House of the categories of workers that will be made redundant and the exact number of workers to be displaced consequent on the purchase of Massy Communications by TSTT as announced by the TSTT Chairman?

The Minister of Public Utilities (Hon. Fitzgerald Hinds): Thank you very much, Madam Speaker. Any such development is in a broad sense always possible. This possibility, however, has not been contemplated, and therefore not assessed to date. The likelihood therefore does not arise. Thank you, Madam Speaker.

Trinidad and Tobago Police Service (Status of Manpower Audit)

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

Could the Minister provide a status of the implementation of a manpower audit into the Trinidad and Tobago Police Service?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam Speaker. Members of the Police Manpower Audit Committee were presented with their instruments of appointment in January 2017, and were given a mandate to produce a report for the submission to Cabinet by March 31, 2017. The committee's status report was submitted to Cabinet on March 28, 2017. That report outlined the work the committee had undertaken since its establishment along with its major preliminary findings and its proposed scheduling fulfilling its mandate.

The committee also recommended revised terms of reference which inter alia divided the exercise into three phases. Phase 1, analysis; Phase 2, design and Phase 3, implementation. The status report and revised terms of reference were approved by Cabinet, which also agreed to extend the life of the committee to a period of nine months with effect from April 01, 2017.

Pursuant to Cabinet's decision, Madam Speaker, the Manpower Audit Committee has continued in the implementation of its mandate, and as at May 31, 2017, was pursuing activities outlined in Phase 1 of the exercise. This consists of an intense data gathering exercise inclusive of examining the current operation environment of the Trinidad and Tobago Police Service; the effectiveness of policies, practices and procedures; community level perception of the Trinidad and Tobago Police Service, and conducting consultations with various stakeholders to identify core and emerging issues of the public and organization. Submission of the final report is to be delivered to Cabinet by the 31st of December, 2017, Madam Speaker.

Dr. Gopeesingh: In light of the fact that recently published on the newspaper, that in one of the consultations only one person attended the entire consultation on the manpower audit, are you in a position to tell this House whether that type of consultation will continue, bearing in mind the lack of public confidence in that consultation?

Hon. Maj. Gen. E. Dillon: Thank you, Madam Speaker. I do not know how the Member could assume that there is a lack of public confidence based on that situation, but the onus is based on the chairman of the Manpower Audit Committee to continue as he so feels.

Dr. Moonilal: Thank you very much. To the Minister: Minister, could you indicate the estimated cost to the taxpayer of this entire exercise?

Hon. Maj. Gen. E. Dillon: Madam Speaker, I do not have that figure, but I can get that and provide it at a later date.

Dr. Moonilal: Is the Minister suggesting that the Government has embarked upon this very critical project without knowing the estimated cost?

Hon. Maj. Gen. E. Dillon: Madam Speaker, I never said I do not know. I said that I do not have the figures at this point in time, because it was not part of the original question. [*Interruption*]

Madam Speaker: Order, please! Order!

Hon. Maj. Gen. E. Dillon: It was not part of the original question, Madam Speaker, and therefore I do not have the answer.

Dr. Gopeesingh: Could the Minister give an idea of the expected date of completion of this manpower audit, if it is possible?

Hon. Maj. Gen. E. Dillon: I indicated in my answers a while ago that the manpower audit has been given up to the 31st of December, 2017, so the report could be before or up to that time.

Las Alturas Commission of Enquiry (Cost of Legal Advice)

147. Dr. Roodal Moonilal (*Oropouche East*) asked the Hon. Attorney General:

Further to the response to House of Representatives Question No. 7 on December 02, 2016, could the Attorney General now provide the cost of legal advice rendered by Mr. Fyard Hosein, SC. on the Report of the Commission of Enquiry appointed to enquire into the entire process which led to the construction of the Las Alturas Housing Towers at Lady Young Gardens, Morvant?

The Attorney General (Hon. Faris Al-Rawi): Madam Speaker, there is no cost to date.

Dr. Moonilal: Is the very distinguished Attorney General aware that in the aftermath of the report of the commission of enquiry, the Attorney General is in the newspaper as quoting advice received from Senior Counsel Fyard Hosein?

Hon. F. Al-Rawi: Yes, I am.

Dr. Moonilal: Could the Attorney General indicate whether this was free advice, and on what basis free advice was tendered to the Attorney General?

Hon. F. Al-Rawi: There is no cost to date.

**Storage Tanks at Petrotrin
(Details of Safety Assessment)**

148. Mr. Ganga Singh (*Chaguanas East*) on behalf of Mr. David Lee (*Pointe-a-Pierre*) asked the Hon. Minister of Energy and Energy Industries:

Given the recent statement by the President of Petrotrin that two petroleum storage tanks which are deemed high risk at the refinery are undergoing repairs, could the Minister state when was the last safety assessment undertaken on all storage tanks utilized by Petrotrin and the results of these assessments?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): [*Desk thumping*] Madam Speaker, Petrotrin has recognized the urgent need for improving storage tank integrity. From the period 2003 to present, 21 storage tanks have been repaired, and a tank repair strategy was approved by the board in September 2016, and is currently being implemented. Repair contracts are presently being prepared for four additional storage tanks; contracts have been awarded for seven storage tanks to be cleaned in preparation for inspection over the period 2017 to 2019. In addition, Madam Speaker, visual inspection of the tanks at Pointe-a-Pierre were conducted as follows:

In the year 2015, 88 per cent of all tanks;

in the year 2016, 100 per cent of all tanks; and

in the year 2017, 51 per cent to date, and we expect the entire 100 per cent of the tanks will be visually inspected by the end of this year.

Dr. Gopeesingh: Could the Minister clarify what you mean by visually inspected? Is it a structural integrity inspection, or is it just looking at it and seeing it?

Sen. The Hon. F. Khan: Visual is visual. We have experienced eyes that go out, because that is the lowest end of the inspection process. Beyond that, it calls for instrumentation, X-ray diffraction and some of these other technology, but visual inspection is a trained eye looking for potential breaches in the tank system.

Dr. Gopeesingh: Bearing that in mind, do you intend to pursue the greater structural integrity assessment of these tanks, and when? What is the completion time?

Sen. The Hon. F. Khan: Obviously, yes, Madam Speaker, and that is on a phased basis. That includes tremendous cost, so we have a risk analysis system where the tanks that have the greatest potential of failure undergo these robust testing.

**Petrotrin's Strategic Plan
(Asset Integrity)**

149. Mr. Ganga Singh (*Chaguanas West*) asked the Hon. Minister of Energy and Energy Industries:

Based on recent reports that Petrotrin had embarked on a five-year strategic plan, could the Minister state the systems and mechanisms that the company will enact to ensure asset integrity?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam Speaker, Petrotrin has established an asset integrity management system to ensure asset integrity. This system has already been implemented in its exploration and production division, and is expected to be rolled out soon in its refinery and marketing division. The Asset Integrity Management Programme will include the following:

1. Identifying and managing the highest priority risk in each processing unit;
2. Developing corrosion control documents, also called CCD, for each processed unit;
3. Comprehensive piping inspection programme;
4. Use of integrity operating windows, also called IOW;
5. Management of change processes;
6. Learning from incidents, acronym LFI;
7. Record keeping and data analysis, which is ongoing;
8. And probably most importantly, training and knowledge transfer for all those in the role of maintaining equipment integrity.

**Foreign Used Car Industry
(Details of)**

151. Mr. Ganga Singh (*Chaguanas West*) asked the hon. Minister of Trade and Industry:

Could the Minister state whether the review and audit into the foreign used car industry which was due to be completed on March 21, 2016 has been completed and if yes, provide the outcomes of this review?

The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon): Thank you. In response to part (a), yes, the review and audit exercise was completed. Part (b), the overall objective of the review and audit exercise was to determine if registered foreign used car dealers met all the conditions of their dealerships, and whether they

were operating legitimately. The findings of the exercise revealed that out of a total of 385 dealers surveyed, 335 dealers or 87 per cent of dealers were in full compliance with the foreign used car dealerships system; 16 dealers or 4.2 per cent of dealers had outstanding documents to be submitted; 25 dealers or 6.5 per cent of dealers were not in compliance due to various pending matters; and 9 dealers or 2.3 per cent of dealers were deregistered and hence removed from the list of registered dealers.

**President of Petrotrin
(Ministry's Plans to Treat with)**

158. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the Hon. Minister of Energy and Energy Industries:

In light of recent comments made by the President of Petrotrin that the deaths of the three Venezuelans who perished at sea will be dealt with by the Ministry, could the Minister indicate the Ministry's plans to treat with this matter?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam Speaker, during the course of its response to the oil spill, the Ministry of Energy and Energy Industries sought confirmation from the Venezuelan authorities regarding details relating to this report.

2.00 p.m.

However to date, no further information has been provided. No official report or communication regarding this matter has been received by the Government of Trinidad and Tobago from the Republic of Venezuela.

Mrs. Gayadeen-Gopeesingh: Bearing in mind this oil spill, have there been any discussions between Petrotrin or the Government and the Venezuelan Government based on the reports that have circulated on the oil spill in Venezuela?

Madam Speaker: I will not allow that as a supplemental question. Member for Oropouche West.

**Slaughtering of Turtles in Tobago
(Measures Implemented to Prevent)**

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

In light of the recent slaughtering of turtles in Tobago, could the Minister provide the measures that have been implemented to prevent its reoccurrence?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Madam Speaker. Madam Speaker, in light of the discovery of turtle parts in Tobago, I am advised by the Tobago House of Assembly that the following measures have been implemented to increase the protection of turtles:

1. Joint patrols between officers of the Environmental Police Unit attached to the EMA with officers attached to the Department of Marine Resources and Fisheries and the Department of Natural Resources and Forestry, Tobago House of Assembly;
2. Production and installation of signage on all turtle nesting beaches advising of the laws and penalties regarding turtles;
3. Meeting with fisherfolk whose livelihood may be impacted as turtles are usually caught as by-catch in their nets;
4. The programme of education and media interaction;
5. The THA is looking at hotspots and concentrating on specific areas especially around harvest festivals; and finally,
6. The THA is improving monitoring and patrolling capabilities.

Thank you very much.

**Petrotrin's Ageing Infrastructure
(Upgrade of)**

160. Mrs. Vidia Gayadeen-Gopeesingh (Oropouche West) asked the Hon. Minister of Energy and Energy Affairs:

In light of the comments made by the President of Petrotrin that it will be an estimated cost of \$16 billion to upgrade Petrotrin's ageing infrastructure, could the Minister indicate who conducted the research for these estimates?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): It seems as though I have to come back into this House, Madam Speaker.

Mr. Hinds: Oh, yes.

Sen. The Hon. F. Khan: The estimated cost for major asset integrity upgrades of Petrotrin's ageing infrastructure were derived from engineering reports and assessments by company's personnel and are included in the company's five-year forecast. The costs for the upgrades are reviewed each year during the company's budgetary cycle.

JOINT SELECT COMMITTEE**Energy Affairs
(Change of Membership)**

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. Madam Speaker, I beg to move that Mr. Stuart Young be appointed to serve on the Joint Select Committee on Energy Affairs in lieu of Mrs. Ayanna Webster-Roy. Thank you very much.

Question put and agreed to.

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) BILL, 2017

Order for second reading read.

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

That a Bill to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50 to introduce a system of traffic violations for certain breaches of the Act, to provide for the implementation of a red-light camera system, a demerit points system and the reform of the fixed penalty system and related legal proceedings and other related matters, be now read a second time.

Madam Speaker, I am very pleased to continue the Government's reform exercise with respect to our criminal justice system. This Bill before this House, now having passed through the Senate, is the continuation of the series of steps to deal with the administration of justice, this time specifically dealing with a multiple range of issues starting from where the appropriate use of judicial time should be allocated. Secondly, how the police service should be deployed and focused. Thirdly, focusing upon the lawful user of the roads of the Republic of Trinidad and Tobago. Next, broadening the ease of administration of justice and the ease of doing business for the citizens of Trinidad and Tobago and carrying us next into the compliance as a society with the laws of our country in general.

We are dealing with two principal pieces of law which stand as the current law of Trinidad and Tobago. On the first limb, we have the Motor Vehicles and Road Traffic Act, Chap.48:50. That is an Act of Parliament, No. 42 of 1934. It was enacted on the 1st of January, 1935. It is now some 82 years old, has been amended some 94 times and the last of the amendments that we saw was in 2015 by Act No. 2 of 2015.

We also have on the second limb, the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52. That is Act No. 18 of 1978. It was amended some 10 times, last in 2011 and it is that particular piece of law which deals with the enforcement provisions where we find what people refer to as fixed penalty offences.

The architecture of the original law is still fairly robust. We have over the years as a country seen the improvement of laws by the introduction of, for instance, seat belt laws, breathalyser provisions. Those are two pieces of laws that stand out in particular. That matrix has come under consideration by successive regimes. By my count, in the last Tenth Republican Parliament of Trinidad and Tobago and the Ninth Republican Parliament of Trinidad and Tobago, a UNC administration and a PNM administration, at least five Ministers of Works and Transport have attempted a significant reform exercise for these laws, otherwise referred to as the Motor Vehicle Authority and parent laws to go with that. Regrettably, Madam Speaker, that exercise of a complete overhaul of that law involved too far an approach. And really, the exercise is one which should have been divided, much as the introduction of breathalyser and seat belts were, and most recently the introduction of speed guns.

It is, in fact, with the introduction of the speed gun technology that Trinidad and Tobago wrestled with, the first time, the experience of law changing culture. And that law changing culture philosophy is one which has worked very well. If you look to the pronouncement of the Arrive Alive team, in particular, you will notice that road fatalities have been on the descent. And there is no small chance of association there. In fact, it is squarely associated there. The breathalyser also caused a significant amount of improvement on our roads.

So in Trinidad and Tobago, dealing with laws some 82 years old, we have seen an experimentation with the law which has taught us that one ought to take the approach of common sense into the reform of laws. And this Bill is commonsensical for a number of reasons.

First of all, it is a matter of record that successive Chief Justices have spoken to, on a constant basis, the need to apply common sense to the use of judicial time. And this Bill proposes as a square feature of that, a recognition that our society is crying out for judicial time to be dealt with on the focus against criminality, conviction and passage through the courts. We have come forward in the environment of the number of Bills that we have put together and I need only remind that we are dealing with the abolition of committal proceedings or preliminary enquiries. We are dealing with the introduction of a plea bargaining system. We are dealing with the ease of access to bail. We are dealing with the introduction by way of election of judge only trials.

We have dealt with the implementation of the Criminal Procedure Rules which deal with the sit and rise time of caseloads in the Magistracy. And this Bill now proposes to look at the large elephant in the room, which is the existence of 100,000 cases in the Magistracy of Trinidad and Tobago and to squarely say to the Republic of Trinidad and Tobago, let us decriminalize certain offences, convert them into violations. Let us treat with them by bettering the access to management of the solutions to this, by applying the use of technology, by applying electronic payments, by removing the jurisdiction of boundaries with respect to where you are given a charge and therefore, the confines that you must pay that charge in the jurisdiction that you got it. For instance, you get a speeding ticket in Mayaro, you live in Tobago, you have to pay the speeding ticket in Mayaro. And what we say, coming through the judicial statistics is important. And therefore, I must put onto the record of this House where we stand as a country.

Now I just referenced approximately 100,000 cases in the Magistracy. The fact is that our Magistracy is comprised of a very limited pool of resources. We have in our Magistracy, 48 sitting magistrates, 38 of whom sit in the criminal courts. We have nine judges sitting in the criminal High Court. We have a total of 30 judges in Trinidad and Tobago at the High Court level and 11 Justices of Appeal. We have 14 main magisterial courts and three out courts. We are seeing that the disposition rate in the Magistracy is 0.49. In other words, 49 per cent. Every year, 51 per cent of the cases that come to the Magistracy go into the backlog. On average, there are anywhere between 126,000 cases per year up to a higher amount of 140,000 odd per year passing through the Magistracy.

We see that we have statistical information which shows us that our preliminary enquiries, that our indictable offences are showing, in particular, on the criminal side that only 6 per cent of the people who are charged on a yearly basis are in fact given a verdict by a court—6 per cent only. The other 94 per cent of people who are subject of charge find themselves going into the backlog, and Trinidad and Tobago, wrestling with a crime situation, having spent in a seven-year period approximately \$26 billion in main Ministries alone. In fact, in the period 2010 to 2015, the sum across five Ministries alone was \$26 million. When you add the cost on the Trinidad and Tobago Police Service for seven years, you are looking at close to \$15 billion. When you add the two together and you average out a six-year period, going backwards as a country, we spent close to \$40 billion on the criminal justice system. And the average person in Trinidad and Tobago now says, well what have I got to show in terms of efficiency for that kind of expenditure. Hence, the reference to the annual reports year on year from the Judiciary which says, please, apply common sense.

Statistically, in the Judiciary, in the Magistracy, in the magisterial districts, excluding San Fernando and Tobago, there are currently 67,925 matters. I am told that the statistics for San Fernando and Tobago added, take it up to approximately 100,000 matters. But when we look to the reasons that these matters are now in arrears, it was quite interesting. Sixty-four thousand, four hundred and thirty-five matters coming out of a total of a yearly distribution of 88,000 matters, 64,000 odd matters are dealt with, by a result of delay, because of the non-appearance of a complainant and a defendant. So the parties just do not turn up to court.

The current system of law is that if you break the offences specified in Chap. 48:50, the Motor Vehicles and Road Traffic Act, if you break those offences, everything is a crime. You must have an offence, a charge is offered against you, you must have a warrant or a summons served upon you by a policeman, that policeman must turn up in court, that policeman must stay in court, the defendant must appear in court, the matter is listed, a plea is entered, either guilty or not guilty; guilty, you get your sentence; not guilty, you have a trial start. One hundred thousand cases currently occupy that structured approach. But 64,000 odd are adjourned on a continuous basis because the policeman or the defendant did not turn up. Reasons related to the defendant squarely; for instance, the defendant has complications, you have not had service in particular. That is approximately 12,688 matters. That means 12,688 policemen have to go and find a defendant to effect service.

When we look to the fact of a defendant dealing with delays on account of his attorney not being there, of not being subject of being found where a warrant is issued—because if after you are summoned and you do not appear, the magistrate then goes to the position of issuing a warrant—we are talking about thousands of man hours, hundreds of thousands of man hours per year, just involved in the system of administering traffic offences.

But let us look further. When we look to this position, let us look to what happens where we actually find the people. We have been told by the Judiciary that of the 68,000 odd, excluding Tobago and San Fernando, that there are matters in there—traffic offences, with some as long outstanding as 11 years and more. Eleven years and more. But when we look to the percentage of actual success, we invest 100 per cent of effort, we have to put in 100 per cent of police time to get there, we have to do summonses, we have to do appearances, we have to do warrants, but when we get to the actual success rate, we are seeing, if you take the average over the years, we are actually seeing a mix of successes. And when we look to the percentage success rate, it is anywhere between 30 to 60 per cent.

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So you spend 100 per cent of the resources and 30 to 60 per cent of those resources come back on average year on year, some years it is 33 per cent, some years 40 per cent, some years 60 per cent success rate, but you definitely have up to 70 to 40 per cent non-success rate. The actual sums collected in the period 2010 to 2015 accumulate to, approximately \$250 million. So if you average it out and you take a 40 per cent success rate, you are collecting \$250 million, but you are spending vast amounts of money on causing compliance to the laws.

So what does this Bill actually do? This Bill says that we should take a systemic approach of reform; we should allow the judges of the Magistracy, the puisne judges, the Magistrates, because you have rights of appeal as well, the Court of Appeal may come in. So let us look at the Magistracy in main focus. Take the 100,000 cases out of the category of offences and convert them to violations. So the first point of this Bill is to convert offences—and not all offences—into traffic violations. Specifically, it is important to refer Members to Chap. 48:50 and in Chap. 48:50 you will note, if you compare the Bill to the parent law that we are not treating with serious offences such as driving under the influence of alcohol, in section 70 of the parent law, driving or being in charge of a vehicle where you are dealing with drugs in your system—70 for drugs and 70A for under the influence of alcohol. We are not causing any effect to causing death by dangerous driving, dangerous driving, careless driving, being section 71, 71A and 72.

So we preserve the serious matters as offences at law subject to the criminal management of that. The Summary Courts Act tells us how we are to treat with criminal matters and what we are doing in this Bill, in large part, is to take the first rubric into effect, decriminalize. Clauses 1 to 33 and 36 to 47 deal with the essence of the Bill on decriminalization. We take all things that are listed as offences and we convert them into violations. What we do, in clause 9 and in clause 25, in particular, is that we create certain cornerstones for the law to operate on. And very importantly, when we look to clause 9, we are establishing three new sections into law. We are dealing with the creation of section 20A, section 20B and section 20C and these are cornerstones for the operation of the law.

What we propose in 20A is the prescription where compliance with the Act and other written laws, relating to the use of a motor vehicle on the road is a condition of the registration of the motor vehicle and the owner of the motor vehicle is responsible for any breach of the Act.

Secondly, in 20B we now provide a new concept where we introduce the traffic violation. That new concept says, that if you breach the Seventh Schedule, the provisions of violation as we describe them in the new clauses 34 and 35, those matters for which you will be treated with a violation, be they red light enforcement, be they fixed penalty matters, that what we are going to do is that we are going to hold the holder of a permit or the owner of a vehicle as the person who has constituted the bite-in for that violation.

What we do, we create the distinction between a traffic violation and an offence and we separate out the fact that offences still exist. So we are not taking all offences, in particular, serious offences out. In clause 9, in introducing a new section 20C, what we do is we set the balance, the burden of proof in the court. We remove it from the criminal offence which is a proof beyond reasonable doubt and we convert it now to a balance of probabilities. So clause 9, in the introduction of a new 20A, 20B and 20C stands as a cornerstone feature.

Now, several Members of the Opposition in the Senate raised the issue of constitutionality in relation to this. And there was the allegation that one needed to treat with this sort of amendment by a three-fifths majority because there was an argument put forward that in creating violations and having someone ultimately responsible for a violation, where your driver's licence or your vehicle registration could be removed from you, that there was somehow a treatment of a right to property, or a right to a fair hearing, or a right to process. And it is true that the Constitution in the fundamental rights, sections 4 and 5, do treat with property rights, but it is necessary to treat with the constitutional argument in the following context. The fact is that we do have a right to a fair hearing. We do have a right to property. We do have a right to equality of treatment. But the law is very, very clear that all rights are conditional rights. Even fundamental rights are conditional rights. They are not absolute rights. And it is a matter of fact that observance of the laws of the Republic of Trinidad and Tobago is a requirement of law, whether it is under contract, whether it is under licence.

A driver's licence is a licence to drive. It not a right to drive. The conditionality of road usage has been statutorily treated with as a conditionality subject to revocation of many points by the Licensing Authority or under a court. And therefore we submit and hold to the principle that one does not need to only look to cases like *Suratt* and the dicta of Baroness Hale of Richmond, in recognizing, that the law is a conditional creature, that fundamental rights are conditional factors, that not every right which touches and concerns a fundamental right is one which must be treated with special majority vote or

section 13 consideration. But the part of the dicta which treats with the observation that you are merely restating the law in its current sense, that you are going no further than you need to, that there is an element of proportionality, those aspects of constitutional consideration fall into this Bill.

And we are not going any further than the existing law because the ability to revoke a licence or the privilege that the State has in telling you that you are permitted to drive on the road is the existing law. That is to be balanced by the mechanisms of due process which we introduce into this Bill. Because in this concept of the Bill we are taking any allegation of a traffic violation, we are firstly taking it to the person against whom the violation is going to be put, be it the owner or the driver of the vehicle. We are then telling those persons, you have the right to contest the application. We are no longer telling the courts of Trinidad and Tobago take an offence, take the criminal law, go and find the person, serve the person, take a warrant to the person if they do not appear, stand up in court all day. We are saying to the person against who the violation is put, you, if you have a problem with the violation, summons yourself to court. You bring yourself to court by a Notice to Contest and only when you have brought yourself to court will the court convene and will the court call for the persons who have to be in court.

Now, there was a very curious argument raised by some Members of the Senate that the provisions in the Bill which will allow for the magistrate to proceed in absentia, ex parte, where the person does not come to court, that that was somehow be a new feature of the law.

When I looked to Chap. 4:20, the Summary Courts Act and section 44 in particular, the provisions where a magistrate is allowed to proceed in absentia are to found right there. In that provision of the law, the person must be summons to court, the person must not have appeared in court after there has been proof of service and then the magistrate is allowed to proceed in the absence of the person who is accused. It is exactly the same. Instead of having a summons and proof of service and occupying police time and judicial time, we tell the violator, you summons yourself. So when you summons yourself to court and you turn up in court at your own request, there is no need for proof of service because you have done it yourself. You have told the court, "I want you to move the court". And therefore, I found the argument posed by the Opposition to be a very difficult argument to understand, most respectfully.

We come next in this whole process of due process, not only to consider the fact that the person has the right to go to the court under a Notice to Contest, but we have provided prescriptive time frames by which this happened. And in providing those time

frames, we are not in the vacuum of having a court say, as soon as is reasonably practicable. We have actually gone a step in the right direction in natural justice by providing specific time frames and that is another improvement to constitutionality and proportionality.

We have gone further. We have said that after your whole process in the courts where you contest the matter, you have the option to have another bite of the cherry, because after your violation has been brought against you, demerit points come against you, a fine comes against you, a fixed penalty fine, it does not stop there. The next step is for it to go to the Licensing Authority. And then the Licensing Authority considers that matter and issues you with a notice, the violator, and invites you to say, please come and show cause why you should not receive the effects of your own breach.

So we have gone a step in the right direction relative to due process, relative to the rights of fair hearing, relative to fair hearing and natural justice combined and therefore, we have improved the law well within the rationale offered by Baroness Hale in the *Suratt* case and generally in the proportionality principles considered in cases such as *Northern Construction*, in particular, in our Court of Appeal, and other dicta in the Privy Council. That is dealing with decriminalization; that is passing through with constitutionality.

The next objective of the Bill is to treat with the introduction of novel concepts. In particular, clauses 34 and 35 deal with the introduction of the red-light camera enforcement system in clause 34, and in clause 35 we are dealing with demerit points and fixed penalty provisions. Now, I would like to make this as simple as possible. We are taking in the new clause 34 in the introduction of red-light provisions, the use of technology. We have, on statistical point, in the experimentation of the introduction of these cameras right here at the Parliament, we have over 4,000 breaches kicking in to our Parliament—4,000 breaches of the red-light camera. And that is no small event.

2.30 p.m.

If you break a red light, there is somebody who is going to be on a green light. It has resulted in death; it has resulted in disaster; it has resulted in lawlessness. We say to the country, take use of technology which everywhere in the world is operationalizing; take that technology, mount your cameras up, provide for the system of certification of the technology by the inspector; let that stand as prima facie evidence of its functionality exactly as we do for the breathalyser, exactly as we do for the speed guns; use that same system of proportionality, have that

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system stand; you pass through the red light, the red light camera catches your number plate, your number plate refers to the owner of the car, and the owner of the car within a 30-day period after that offence happens, receives a ticket in the mail, or a violation in the mail.

We allow for the payment of that violation online; we allow for it in places other than the court where the matter occurred, the jurisdiction in which it occurred; we are allowing for it in approved payees which will include banks and other entities; and we allow for the person to still contest the application. We take this red light enforcement technology, we separate it out from other traffic signs and violations, we treat with it by way of consequential amendments, but we are now moving in the right direction because we are not only holding the owner of the car liable but we are giving the statutory right to the owner of the car to bring proceedings and recover debt, or recover penalty, or recover the consequence of the violation from the driver. So that includes taxis, that includes rental cars, much like in the United States when you pass under a SunPass system, or a red light system and you are in a rental car, they automatically—the rental agency—upon receiving the violation deduct it from your credit card. Quite simple.

So we are not introducing into law anything which does not exist in other jurisdictions. As we mentioned jurisdictions, I should note that we have reflected against the laws of Jamaica, against the laws of Canada, the United States of America, the United Kingdom, parts of Australia, and we have sought to harmonize this experience in terms of law.

The next feature of law that we deal with, as I mentioned, in clause 35 of the Bill, is where we introduce the demerit points system and the fixed penalty system, and what we are doing in the demerit points system is where the second piece of law that I referred to comes in.

In 1979, there was an experimentation to introduce demerit points. Demerit points came in in Chap. 48:52, the enforcement arm of this law, the Motor Vehicles and Road Traffic enforcement provisions. The demerit points were intended to be introduced by way of regulations, and in the period 1979 to 2017, no regulations have been approved, no regulations have been done. And what we did is to take the whole substance of the Chap. 48:52 and incorporate it into the parent law which is Chap. 48:50. That is why we are repealing Chap. 48:52. We are introducing in the demerit points model, which you will see expressed in the Ninth Schedule, we are introducing into that and into the Seventh Schedule, the existing law which is to be found in the First Schedule of Chap. 48:52. We are taking it word for word in the regulations.

I want to caution hon. Members not to look to the side margin of what the law says. One must look to the regulations themselves because the side margin is deceiving. When you read the regulation itself, it makes good sense in relation to what is noise, or what is a rear-view mirror, a reflecting mirror. One has to read the actual regulation itself, and for ease for hon. Senators in the Senate when we piloted, and now in the House, we can circulate a matrix which will show you exactly what the existing law is, what the regulation says. But I am very pleased to say that in the Senate we went through this line by line and made amendments where we could because there is an express undertaking on the floor of the Senate which I will repeat now, that we are renovating the entire schedule, and that renovation can be done by a mixture between Minister's order and regulations which are subject to negative resolution.

It is dangerous to pull at the thread in the tapestry without knowing the consequences, and I am pleased to also confirm that what we have done is to take the actual offences, now violations, in respect of which there are demerit points, and we are going through them methodically to compare whether they are actually used or not. The hon. Prime Minister raised to me the concept of a taxi driver being appropriately attired. But what was required was to actually go to the application of the laws in the Trinidad and Tobago Police Service and Licensing Authority and look for whether it is actually implemented or not. We have taken year on year and we are now going to prune that schedule to make it sensible and to bring it into the modern age, and we expect to finish that exercise in the month of September so that we can lay the improvements to that particular piece of law.

Let us talk a little bit further on clause 35. Madam Speaker, would you just remind me, I have been sitting in both Houses, I confuse the times in both, what time do I end?

Madam Speaker: You end at 2.48.40 p.m.

Hon. F. Al-Rawi: Regular time or full?

Madam Speaker: Full 45 minutes.

Hon. F. Al-Rawi: 2.40?

Madam Speaker: 2.40.

Hon. F. Al-Rawi: Thank you.

Madam Speaker: 2.48.40 p.m.

Hon. F. Al-Rawi: Forty-eight, thank you. Ten minutes, 12 minutes. Thank you.

What we have done in clause 35 in respect of the improvements to the fixed penalty system, I have just described, mixed in with the demerit systems. Now, when we are looking to clause 35, we must also match up clause 47. Clause 47 invokes the Schedule; clause 35 treats with the actual new structures of the law that we are introducing. When we are looking to the red-light enforcement, the provisions to be compared side by side, the cornerstones are clause 25 and clause 34.

So, in summary, hon. Members are looking to clause 9, the new architecture, the new 20A, 20B, 20C. We are next looking to clause 25 together with clause 34, and then we are talking red-light enforcement. We are next looking to clause 35 and clause 47, and that is where we marry the Schedules and the methodology by which we get to where we are going. So the aims are: decriminalization, red-light enforcement, demerit points, fixed penalty system.

Now, I must now speak to the operationalization of this law. In preparation for the launch of this law and in the launch of law which is to come in September, what I can say is that we had a phenomenal interagency operational team: Licensing Authority, Ministry of Works and Transport, Attorney General's Office, Judiciary, the traffic police, the payee arms of the Government from the Ministry of Finance. We sat on a round table comprising approximately 35 bodies and then we looked to how we need to operationalize this law, and when we looked to the operationalization of the law, we went even further. We ensured that at the Ministry of Works, Licensing Division, Traffic Management that we spoke to the readiness for cameras; we spoke to the serviceability for the cameras. We now have a historical record as to how they work, how they do not work, what the functionality looks like—4,000 plus there.

We went further and we matrixed out how to operationalize the communication between on the ground where the policeman stops you, or traffic warden stops you, because we have beefed up and provided teeth to traffic wardens in this Bill. We have allowed for a breach of a traffic warden's direction to be treated with sanction, finally giving them teeth so that they would be the subject of obedience by the population and not ridicule. And what we have said there is how do we connect the on the ground system with the court system, and we have taken a leaf out of the Jamaican experience. I personally went to Jamaica, sat down with the Ministry of Works and Transport equivalent there, and their Licensing Authority there, and witnessed the software which they have implemented, which is basically software which originated out of Illuminat, now Massy, and which their version, the Jamaican version of iGovTT has operationalized.

We have gone into the Judiciary, we have done the matrix as to how to operationalize the wide area network and local area networks; we have done the process flows; we have done the budget estimation. It will cost us only \$597,000-odd TT dollars to operationalize the Judiciary arm of it. We have already done the protocols between the payees, that is the banks, et cetera, to cause the reconciliation of accounts when you are paying your violations and, most sincerely and most importantly, we have gone to the Licensing Division. We have backfilled all of the data which was outstanding for motor vehicle registration between the period 2010—2015—all of it. We have done all of the driving permit information data entry. The Ministry of Works and Transport has introduced a new driver's licence with better security features, et cetera. So now we have driver's permits, vehicle registration, but that is going to be introduced on the back of a very significant reform which is coming to this Parliament and, that is, the introduction by way of regulations of a new system of licence plates.

That new system of licence plates involves the RFID license plates. And why do we do that? We do that because we will be able to deal with fraud in the Licensing Authority—fake plates, changed plates. We will be able to improve the operationalization of laws because we are introducing in two successive steps to come very shortly, spot cameras on arches right across our nation ways, spot cameras and speed cameras which now take us out of handheld devices for speed which has done significantly well in the speed gun introduction. Now spot cameras on every archway, on every bridge, on every position in Trinidad and Tobago added into the RFID tags. [*Desk thumping*] And that, hon. Members, is something which has been talked about in this country for years, but not operationalized, despite the best intentions. Because I do admit, in particular, when we in 2015 dealt with the law brought then by Minister Stephen Cadiz to try and treat with a new motor vehicle authority and system, what the approach that failed demonstrated, I do not think through the Minister's own fault, was a failure to apply the common sense approach. It makes sense to just carve out the manageable features and apply them and operationalize them.

Madam Speaker, if I could tell you, that is the exact approach that the Government has taken in everything that we are doing. I want to put onto the record in terms of the operationalization by way of comparison, a very important thing. You would note that as a Government, we came to the Parliament, we dealt with the Children and Family Division Bill. It is now an Act of Parliament, it has been partially proclaimed. At the same time that we did that, we secured the protocols, the rules, the regulations, the subsidiary legislation to go with it, and we procured the buildings, the staff and the arrangements, and I am very pleased

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to say that we would have taken legislation into the opening of the north building by July of this year. [*Desk thumping*] And that is what I mean in terms of operationalizing the law, and I am very, very, very grateful for the very strong assistance of all the team members around the table because this is not an exercise of one Ministry: the Ministry of Works and Transport, the Ministry of National Security, the Office of the Prime Minister, the Ministry of Finance because of the data management, the Judiciary.

In this exciting introduction of operationalization, we have taken the Jamaican phrase, “We are flying the plane while we are building it, we are putting it into effect”. That phrase came about when I spoke to Jamaica about its major organized crime legislation, and I asked them how they were able to implement that piece of law without tripping over constitutional agreement between Opposition and Government, and they were shocked. As I have said many times before in this Parliament, they were shocked because they said to me, “Listen, there are some issues which are just so important that we are prepared to fly the plane while we are building it.” They could not fathom that we have this form of dynamic in Trinidad and Tobago where things can be tripped, where they can be agreed.

I have to confess that I was rather disappointed in the approach taken in the Senate to this particular piece of law. Sen. Mark was vociferous in his failure to support the position on behalf of the Bench. I do hope that hon. Members, in considering the law now in the House of Representatives, will look to the fact that we have done significant review, line by line in the Senate work, now before this House. The hon. Member for Tabaquite, having served as a Minister with line responsibility in this regard, I am sure is very passionate about some of these issues and agrees that this may be an appropriate approach to take, but most respectfully, Madam Speaker, this is good law.

This is law which will allow us to return the focus of the Judiciary to law enforcement, to treating with crimes, to treating with hard matters. This is law which marries in to the municipal policing which we are bringing alive in and which we have brought alive already in our local government forum, in our municipal corporations. This is law which furthers the creation of the traffic warden system to allow for the Trinidad and Tobago Police Service to focus on its primary work. And this is law which has an inertia associated with it which will treat with the matters which I have just spoken to, which is the RF tag IDs, the spot camera system, the method by which we change out the number plates on the motor vehicles in Trinidad and Tobago. It deals with the enforcement of

something which is rather exciting and which I can share with you now. The United Kingdom has come up with something called a drugalyser. We have breathalysers, but there has been no scientific standard for measuring toxicity in the blood with respect to drugs, be they prescription drugs or other forms of substance, and the United Kingdom experience is informing our fulminations on this.

One last matter before I beg to move, Madam Speaker. I am very, very, very focused on the issue of the disabled in our country. There is an indignity which disabled people suffer in this country in not having an easy approach to their licensing, where they must go through year after year a system which does not make sense, where in every other part of the world disabled people are able, once certified, to actually drive, and the criminalization and offences for people who use disabled parking has to be strictly enforced in our country. [*Desk thumping*] It is not acceptable that our buildings and that our laws do not treat for the disabled in our society, and that is a matter which has square and sharp focus by the Ministry of Works and Transport and the Attorney General's Office, Madam Speaker.

Madam Speaker, I look forward to the contribution of hon. Members. The Government is willing to consider all points of view. We do hope that there can be agreement on the passage of this Bill and I beg to move. [*Desk thumping*]

Question proposed.

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you very much, Madam Speaker. Madam Speaker, before I begin my contribution, I want to take the opportunity to congratulate the staff at the Caroni office of the Licensing Division. That new facility was a facility that was envisioned and built under the administration of the People's Partnership and I had cause to go there to transfer a vehicle last week, and I must say that the courtesy and efficiency with which it was done, deserves a comment because when you see good things that happen in the public service, you ought to commend it. [*Desk thumping*]

I would say, however, that it was disgusting when you went to the area where you had to examine the vehicle, that all the old furniture from the Port of Spain office was brought and just dumped there, creating a very unsightly scene at what is a very beautiful building, and I think it is something that the Hon. Minister would want to clean up as fast as possible and not leave it like that. But I want to congratulate Mr. Richards for the good job he has been doing there at that office, and that is in stark contrast to San Fernando where things remain very badly. I make this point because in debating this law, one of the things we have to deal

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with is the improvement and increase in efficiency of the public servants. [*Desk thumping*] And if it is that there is a relationship between higher productivity and working conditions that has manifested itself in a degree of excellence and efficiency at the Caroni station, then one is left to ask the question: Is the poor working condition at the San Fernando office the cause of a lot of the frustrations of the officers and the poor performance there?

But, Madam Speaker, it was very interesting that in testing the system in San Fernando, you know people are unafraid to come up to you and say, “Why are you in the line? For \$700, you do not have to come in this line. You can get your vehicle inspected and so on.” It happened to me in San Fernando a couple weeks ago, and it is something I think that we have to look into very seriously.

Madam Speaker, I do not think that any of us should have great difficulty with the provisions of this law. I do not think so at all. I think that we are aiming for a safer culture as a whole in Trinidad, and the entire traffic arrangements are part of that safer culture, as much as, you know, the crime situation has to be addressed in order to create a safer culture. But I would be the first to agree that there is too much reckless driving on our roads and too many lives are being lost, and there is a need for a level of penalties which will act as a deterrent to the reckless culture.

Madam Speaker, you know, I am happy to hear the Attorney General speak about driving under the influence and those aspects of the law and so on that, you know, are going to remain, because despite increasing the fines for driving under the influence of alcohol, we continue to have so many prominent people coming before the courts charged with driving under the influence and you sometimes wonder whether there is a relationship between the increased fines and actual deterring of people. But I want to urge the Attorney General to note carefully some of the things he said here. He made lots of promises again in his presentation, like the Government has been making over the last 20 months, but there is a far cry from what you promise and what you deliver, from the hopes you establish, to the hopelessness that is now prevalent in the hearts and minds of people. [*Desk thumping*] In his presentation, he spoke about municipal police officers.

I recall that in the whole debate under Minister Franklin Khan, when he was Minister of Local Government, and when he was pioneering this whole idea of reform of local government, one of the first things he said he was instructed by the Hon. Prime Minister, was to increase the number of municipal police officers in the country as a means of improving local policing. This is 20 months going and I have asked the several corporations how many officers have been added to

their staff, and of the 1,400 promised none have been added. In fact, they have lost officers who have left and gone over to the police service. So that one wonders whether, in fact, the Attorney General is very serious in terms of his promise to put into place the many things that he has promised in his presentation here today.

Then he spoke about the traffic wardens. That is another feature of the last administration, our administration, and I think the traffic warden is a very important institution in the country, very important aspect of our policing and our regulation of the roads and so on, because it does reduce the number of policemen that you need to put on the roads and let them do more substantive work in terms of crime fighting.

I am very happy that the fine has been increased to \$10,000 for interfering with the work of a traffic warden, but I must tell you—and it is a fact, traffic wardens have been subjected to a lot of ridicule. They have been scoffed at on the roadways, they have been laughed at and so on, and so forth. But I want to urge the Attorney General to examine the conditions under which traffic wardens are also working in the country. For example, there was a period of about three months when no traffic wardens appeared in Gasparillo and the reason was very simple, that they could not get transport from San Fernando to Gasparillo and no one in authority at the hierarchy of the Traffic Warden Division was doing anything about it. I had to make a ministerial intervention with the hon. Minister in order to get that matter resolved, and even he had difficulty to get it resolved. So it is one thing to have very vibrant things like traffic wardens and what have you, but if you do not have the supporting infrastructure to help them do their work, then you are going to have problems.

So traffic wardens, for example, do not have a sub-office in Gasparillo as in other parts of the country. So they are working and that they have to go into a FKC, or they have to go and beg in the police station if they want to use a bathroom and what have you, and that is not right. That is not right—or a Member of Parliament office, and that is not right at all for them to do. So that I think that it is very important that we not only promise, but that we also act and do so with a sense of urgency if we are to achieve the efficiencies that we want to achieve.

The other point made by the Attorney General had to do with his whole case for what he called the renovation, and I am getting a language since I have been here for the last 20 months: architecture, proportionality, renovation and so on, and it is very interesting, the language of the Attorney General. But while the Attorney General made his case and so on, one of the things he alluded to was the

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number of complainants who do not go to court, particularly police officers who do not go to court in order to complain, which is a cause for so many cases remaining in the court. But I want to ask a different question and sometimes it is good to ask the questions: Why are police complainants as complainants not appearing in court? Why are they not appearing in court? And who in the hierarchy of the police service should address these problems that if a police officer on several occasions does not go to court, who is going to that police officer and asking that police officer, “Why are you not appearing in this matter?”

I want to link that with something else because in the police service, one hopes that promotions are based upon performance and not just seniority, or presence. Who is therefore doing the performance appraisals of these officers? And do these performance appraisals mean anything if in fact people are being promoted in the police service? But at the same time, they still are not appearing in court and clogging up the system with so many cases, and the description was well and adequately given by the Attorney General. So who is following it up? I ask this question because it is a very important question, Madam Speaker, and I beg your permission to say this.

I attended a meeting of the Manpower Audit Committee set up by at the hon. Prime Minister to deal with manpower audit in the police service—and this was at the Borough Corporation last Monday evening—and in a question to DCP Harold Phillip who was present there, he indicated that based on the shift system and so on, only 1,000 police officers—and these are his words—would be available on the roads at any point in time—in the country sorry. One thousand police officers would be available on a shift and that was something that disturbed me very deeply. And I would like to hear from the hon. Minister of National Security whether that is true, because if that is true, 1,000 police officers on a shift cannot, in my humble view, serve the needs of the population and protect the population as they should. So I think that that is something that has to be noted.

Now, the Attorney General also raised the question of constitutional matters and said that in the other place people raised issues related to the Constitution. Now, I do think that on close examination there are constitutional issues that arise, particularly in clause 9 of the Bill, because by clause 9 of the Bill, compliance with the Act is a statutory condition for holding of a driver’s permit as well as for the registration of a motor vehicle, and if you look at it very carefully, Madam Speaker, you will see the right to hold a driver’s license and the right to register your motor vehicle are rights that will qualify under the right to property under section 4 of the Constitution. And therefore, the effect of these new

provisions are that these rights could be limited or cut down for breach of statutory conditions, whether the breaches are for traffic violations as defined by the Act, or commission of offences and, therefore, I have a question that I would like to ask.

3.00 p.m.

Would this mean that a citizen could be deprived of this right to hold a driver's licence and the use and enjoyment of his motor vehicle by the commission of a traffic violation? Because the finding that a traffic violation has been committed under the proposed structure of the Act could be made without resort to the court and if that is the case, this will mean that the right to hold a driver's licence and to register a vehicle could be taken away without due process as provided under section 4 of the Constitution. And that is just one area I believe that might gain the attention of the Hon. Attorney General in terms of whether, in fact, the section 4 or section 5 and so on of the Constitution, whether you need a special majority as we often see in this particular case.

Madam Speaker, when I began my contribution, I spoke about the fact that we want to create a safety culture, a culture of safety and that should be really a prime objective of this legislation, as well as other legislation in criminal matters. The one thing I want to warn against is that, in this particular case where we are introducing all these new fines and heavy fines in some cases, like the \$10,000, like the \$7,000 for red-light violations and so on, I want to forewarn that I hope that the real objective is not just revenue collection or the increase in revenue collection [*Desk thumping*] but that we are seriously interested in preventative behaviours, behaviours that are inimical to societal well-being and to the lives of others. And I do not speak off the top of my head.

You know, a couple of years ago, a nine-year-old nephew of mine, along with about six others, were killed in a road accident on Mosquito Creek by a truck driven by a 70-year-old individual. And up to today, if you drive along Mosquito Creek, you will see that the families of those people continue to place something there to remind about that. Nine years old, life snuffed out and gone. So that, you know, we have all, in one way or the other, felt what happens when people drive as they do on the roads.

You know, Madam Speaker, it is not nice to speak about, but policemen on motorbikes are guiding heavy vehicles with heavy equipment on the road, and if you are in the south like I am every day, travelling from Chaguanas to Fyzabad through the Ring Road or on to Point Fortin, as I have to go, Madam Speaker, the

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driving speed limit is 40 kilometres an hour for those vehicles. I can tell you that they do not drive 40. The policemen are driving their motorbikes at a far faster rate than 40 and their vehicles are moving at a fast—and sometimes you have to go on to the edge of the road to get away from these vehicles, and they have no respect for you.

There are other things happening on the road that we are not noticing. There are vehicles—heavy, heavy vehicles with multitudes of lights in the night, contractors' vehicles, and when these vehicles come at you in the night and you are coming from the other side, they dazzle you and—I do not know if you guys have experienced this—and it is something terrible. And why are the policemen and women who are on the roads not doing anything about this kind of what is, in my view, an abuse?

Madam Speaker, so there might be ample reason for heavy fines as proposed in this legislation. I mean, let us face it, too many of us in this country are just boldly breaking the law. In other words, it seems to be part of our culture: break the law and see if you can get away with it and see if they can catch you. There is something also that is not nice in this country: the challenge to authority. Whether it is happening in the schools, happening in organizations but this is a negative feature of our society; the challenge to authority. There might be good reasons to challenge authority and one should, in fact, use the law to challenge authority. There is nothing wrong in that if one thinks one is right about something but, you know, I think there is a flagrant misuse of the way people challenge authority.

Madam Speaker, one of my concerns has to do with the \$7,000 fine for breaking a red light. Now, the AG did refer to the statistics for red-light breaking and I did do some research and for the month of May 2017, from the 1st of May to 31st of May, 2017, the Traffic Management Division indicated to me right here at the Hyatt—“yuh not gonna believe this”, Madam Speaker—there were 4,864 red-light offences; 157 per day. And if you take 4,000—well, let us say 5,000 and you multiply that by \$7,000, you get what? \$3.5 million. Am I right, \$3.5 million? That is one light in one month. And if you multiply—am I right with that, Member?

Mr. Al-Rawi: Plenty money.

Dr. S. Rambachan: Yeah, plenty money right? If you multiply, how much is it? You see, we do not have mathematicians, we need Dr. Capildeo back in the House. [Laughter] But nevertheless, the point I am making, it is \$7,000 for one offence; \$7,000 by 5,000 will give you \$3.5 million; \$3.5 million by 12 is \$42 million, one light. Now, if you have 10 lights like that in the country, in one year, your revenue

is going to go up by half a billion dollars. [*Crosstalk*] And that is the point, Prime Minister. We have seen in the case of DUI, it has not stopped them, you know. It has not stopped them. People are still speeding, people are still drag racing in places they should not drag race and what have you. People are still parking on yellow signs. That is one of the things I wanted to see in this law, where there are no parking signs. I did not see a real offence to that, but the Traffic Management department put yellow lines on a corner so that people can see incoming or outgoing vehicles and people are still breaking that.

You know, I have written to Superintendent Kenny McIntyre in Chaguanas on two occasions and I have spoken to him on three occasions and I have a history of the calls I have made to him, and up to this day, they have not even given tickets or brought the wrecker to remove vehicles on Barry Crescent and Ramsaran Street, as well as Market Street and others where people are openly violating and ignoring the yellow lines on the road.

There are people who are selling there on the roads, breaking the law, by vending within a radius of one mile from the market which they should not and not one thing is being done. And I direct this to my colleague, Member for Toco/Sangre Grande, who might want to speak to the Superintendent and ask why is nothing being done in order to enforce the traffic laws in Chaguanas in that way and let decent citizens benefit from observing the law, rather than having to cope with what is happening there. [*Desk thumping*] People breaking the law to their disinterest.

So you have 5,000 violations at one traffic light and this is why I raised the point. Is this a revenue-raising mechanism or is it really meant to deal with errant behaviour on the roads? You know, I have statistics, eh. For 2015, the number of red-light infractions here at the Hyatt was 41,634; 2014, it was 39,898. So it is really an average of about 5,000 or 4,500 per month at one traffic light.

Now, this raises an issue. We have a high-crime situation in the country, a very high-crime situation and, Madam Speaker, if you drive in the night, like some of us must drive late into the night, and you reach a traffic light in a dangerous area and I want to give you some dangerous areas. Westmoorings by West Mall. What is that mall called at Westmoorings? Is it West Mall? West Mall. Debe traffic light by NAMDEVCO. That is two. A third traffic light would be in the vicinity of where the technical school is in San Fernando—[*Interruption*] St. Joseph Village and Valpark. Madam Speaker, all of those are critical areas where in the night time, you could be robbed as people have been robbed right

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there near the Brahma Kumari building—traffic light that swings into Chaguanas. So what happens with a person who is fearful, have their glass wound up, fearful of standing by that traffic light waiting for it to change; and in middle of the night, there is nobody else and could be robbed? And this is a real case.

So I am wondering whether after certain hours in these high-risk areas whether their lights cannot be adjusted to go on blink so that people do not have to stand by the lights and can move on.

Hon. Member: Good point. [*Desk thumping*]

Dr. S. Rambachan: Why can that not be done at high-risk intersections? Because I have just listed for you some high-risk intersections and the reason I listed these for you is because I have intimate knowledge of people who have been robbed at those particular sections. Their glass has been smashed and what have you.

So, for example, in light of the heavy fines for breaking a traffic light, I would like to propose that we begin to try to condition people's behaviour. We look at what is happening at the Hyatt. And why can we not now, even now, on an experimental basis, start sending out the tickets to people? Send them out, so that they can receive these tickets in their hand and know, hey, hold on, if this happens again, I will have to pay, rather than just bring the law onto them immediately. It is important to bring the law on but I am saying while we are doing this, because it is going to take some time, after we debate this Act, to get this into motion, but in the meantime, I see nothing preventing us from getting the tickets and the citations into the hands of people so they know, hey, hold on, you are breaking the law and there is going to be a penalty for this errant conduct and sometimes you have to begin to condition behaviour of people in that regard.

Madam Speaker, as we speak about that, I support this Bill because there is an economic cost to accidents and to the loss of lives; a real economic cost. In the period between 2005 and 2015, 2,040 adults lost their lives on the roads of Trinidad, and of those, 130 were minors, 812 were drivers, 608 were passengers, 610 pedestrians, 89 motorcyclists and 51 were cyclists. Now, just last week, you saw a pedestrian, again, ignoring the walkover and losing his life in the area near the university somewhere. I mean, I extend my condolences to the family but every day in the Charlieville area, you see people running across the road and ignoring the walkovers that have been placed there. And maybe we should have also had a fine amongst these for people who do not use the walkovers and risk

their own lives running across the street. [*Desk thumping*] Jaywalking. I think the fine for jaywalking is \$10. But I am very serious, Madam Speaker, in addressing this matter that this is something that should be considered. People, you know, ignoring that.

Madam Speaker, look at the economic costs of loss of life, eh. I have here several articles dating back to 2015:

“Teacher killed in crash”

Schoolteacher, Everard Baptiste killed along a crash in Mosquito Creek. Just 28 years old, physics teacher at San Fernando Central Secondary School. You know how much it must have taken, the cost of educating this person by the society and this cost, you will hope to have a social benefit to the country but that is lost? How do you value that economic loss? And we go on:

“Regiment officer killed in road accident”

You know what does it take to train and develop a regiment officer and he dies?

“Cop killed in crash

...he was passenger in vehicle”

Police officer, near Claxton Bay, killed and his colleague critically injured. This one is a very interesting one. Under the Chaguanas flyover, Mark Daly, a devoted family man, son, brother and so on, a father, a godfather, what have you, and Daly served as an ambassador to the sport of volleyball. He proudly captained both the Trinidad and Tobago national junior and senior men’s team for over 10 years and was a recipient of the WITCO Volleyball Sportsman of the Year. And I make this point for a reason, that there is a heavy cost. When you lose somebody like this, it is a big loss, in a country in which you need role models like these and you need volunteers, like this gentleman, to go among the youth population and to inspire them away from a life of crime into useful activities. So I am saying that there is a social and economic cost that, perhaps, we cannot even calculate in terms of the loss of lives in this regard.

Army recruit dies again.

And, there is another one here, 23rd of April, 2017:

“Air Guard officer killed in crash”

Sergeant Christian Guevara also killed in crash.

“Baby orphaned as parents die in crash on the...”

Churchill Roosevelt Highway. Another kind of problem. The child would not grow up with parents and that is a deep thing.

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Do you know what, Madam Speaker? Arrive Alive gave a very interesting statistic and they gave this statistic on the 13th of June on the UN World Day of Remembrance for Road Traffic Victims, and it is said in this article, which came in the *Guardian* newspaper, that 83 per cent of all fatal crashes in our country are young men under the age of 35 years; 83 per cent under the age of 35. That is a serious, serious matter, 83 per cent under the age of 35. So there seems to be a relationship between—if you take youth as the defining age of 35—youth drivers and the number of road fatalities. And there is the very sad one, in my view, of Khadijah and Khertima Waddell, two sisters, who were also killed, 18 years old, just about that and they were killed. They attended St. Joseph's Convent in San Fernando.

So this is very important to me, this whole Bill and these fines. And then there is the case of Jonathan Inglefield who died, just 25 years old, on 11th of February, 2009. He died when another car ran the red light at the Westmoorings intersection travelling in an easterly direction. Jonathan had on his seat belt. His mum, Ms. Sharon Inglefield, has now dedicated her life to this purpose and today, we must pay tribute to her for picking this up. [*Desk thumping*]

So, you see, Madam Speaker, a car is a weapon. Just like a gun or a knife, a car is a weapon. And people who drive cars must stop taking life for granted. People must learn to drive defensively in this country and it seems to me that that is something that we are missing. Yes? Sure.

Mr. Al-Rawi: Thank you for giving way. Just want to point out in the Senate, we introduced an amendment to criminalize using a car as a weapon and for terrorism as well.

Dr. S. Rambachan: Thank you. So that a car is a weapon. But, Madam Speaker, that is one side of the issue. There is another point I want to make that I think is important. Alcohol is a serious cause of accidents in this country. Let us face it, Madam Speaker, serious cause. And I am not going to moralize and tell people what to drink or what not to drink or who to drink and who not to drink, but I did some research over the last couple of days to find out how much people drink in Trinidad, and it is something that we have to be concerned about. I tried to get the production of rum in Trinidad, I could not get. I tried to get the production of beer in Trinidad, I could not get it. When I called the Ministry of Trade and Industry, they referred me to the TTMA. The TTMA told me they are not sure, it will take a few days to get it. So my statistics only have to do with imported liquor—[*Interruption*]

Madam Speaker: Hon. Member for Tabaquite, your original 30 minutes have expired. You are entitled to 15 more minutes if you wish to avail yourself of it.

Dr. S. Rambachan: Thank you, Madam Speaker. Thank you very much. The last figures I had in 2014 indicated that there were about 800,000 cases of beer a month, I believe it was, in Trinidad.

Hon. Members: Imported?

Dr. S. Rambachan: No, produced. Yeah, they export some. But I just want to deal with the import of liquor and my figures come from the Central Statistical Office and it is dated right up to March 2017, but I will just go for 2016 and 2015. Because it appears to me that between 2015 and 2016, there has been a drop in the consumption of imported liquor in the country. Whereas in 2015, 29,047,719 litres of imported liquor—all imported liquor, eh—were consumed, in 2016 that was down to 23,527,813, so it was down. But that included the figure in 2016 and 2015 but 2016 included 7,672,000 litres of what is called denatured spirits ethyl alcohol which is imported to make rum and so on. So if we take off that, let us just say we take that out of it, from the 23 million, you have still 16 million litres of alcohol, 16 million litres of imported alcohol being consumed. If you take 16 million litres and convert it into 750 ml bottles, you have 21 million bottles of imported liquor being consumed in Trinidad last year; 21 million bottles, 750 ml.

Now, Madam Speaker, why I make that point is this: 66.8 per cent of your population is between the ages of 20 and 70, 67 per cent. So 917,000 persons are in that group and I want to call that the social drinking group if you want. Now, I do not know how much of those drink but if you cut it by half and you say 450,000 persons, if you go 500,000 persons, and you divide 21 million bottles of liquor by 500,000 persons, you are getting about 40 bottles of liquor per capita as an average. This has to be a high alcoholic-content driven society, and that is something that also speaks in the relationship to that 83 per cent of the accidents occurring with people 35 years and younger. What are we doing about that?

And so you know, the law is important and the fines are important, but how are we going to change the behaviours that get people to behave in a responsible manner even before the accidents take place on the roads of Trinidad? So I think that it is important to know. Now remember, in my figures, that 40 bottles do not include rum, eh, because rum is being produced locally. This is only imported liquor into the country. It is stunning, it is stunning.

But, Madam Speaker, one of the big issues is why are people tempted to break traffic laws. That is an issue. Why are people tempted to break traffic laws? Why do people break traffic laws? Why are people driving on the shoulder of the roads every morning coming into Port of Spain? Why are they doing that? Why is it? It

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is because people are frustrated of the traffic situation as a whole. They are frustrated and something has to be done. It is not easy to stand up or sit in your car for two to three hours, average one and half hours, to get into Port of Spain on a morning. My daughter comes to work, Port of Spain every morning, and she leaves home at 5.30 otherwise she cannot reach to her workplace for eight o'clock; 5.30, that child is leaving the house every morning to get to work for eight o'clock. People in south Trinidad leave 4.30 in the morning in order to get into Port of Spain.

Madam Speaker, it raises the question, again, as to how long we are going to take to get an efficient public transport system in the country. How long are we going to take to implement, what I had attempted to implement when I was Minister of Works, which was to use the shoulder of the roads between specific hours for buses and maxi taxis to come into Port of Spain and allow that movement of that traffic into Port of Spain as fast as possible? You see, change is resisted but change has to be bold at times and sometimes you have to be bold, and I am saying that we have to be bold in some of the experiments that we need to put in place in order to reduce this frustration. Because out of frustration, people do a lot of things on the road. Road rage is an outcome also of frustration in the traffic.

And in this regard, one has to urge the Government, again, to decentralize services of Government. [*Desk thumping*] Decentralize them. You know, you do not need and you should not have to come into Port of Spain for everything. You should not have to do that. As I said, the Caroni licensing facility is fine but let us build the other facilities across the country in the same way. Let us do that. We were talking about hospital services and we have the children's hospital, the Point Fortin hospital, the Arima hospital, all excellent projects started by the former administration and I hope that these are completed because this will help decentralize also the availability of services.

Madam Speaker, another point I want to make is this matter of defective vehicles on the road. We have a law in Trinidad where a vehicle which is five years or older has to be inspected at an authorized vehicle inspection place in the country. It will be a great exercise to take the Chaguanas Main Road and see how many five-year-old vehicles have really been inspected and have the proper sticker and how many vehicles are defective, and therefore, being defective, they are a threat to the safety and security of people on the roads. Now, how many of these vehicle inspection places are operating as they should operate? And what are the authorities doing in order to go and institute a quality control system to see whether these persons who have the authority to do what they are doing are following the rules and that they are doing it correctly?

Madam Speaker, I went to inspect a vehicle at the south office and they say, “Go over the pit” and I go over the pit and what they say, “Drive, mash yuh brakes and pull up yuh hand brakes” and my vehicle was inspected. My vehicle was inspected. That is it. That is what inspection is about. Come on. Something is wrong with how we are proceeding about people’s lives. People said, you know, wash the vehicle good, make sure “yuh underwash it” and so on and you will pass through the system very quickly. Is that how we have taught people to beat the system at the expense of the lives of people in this country? I think these are issues.

Madam Speaker, I want to also raise the question of driving instructors. What are the charges for licensing offices who collude with driving instructors and driving schools to pass driving tests? Madam Speaker, I showed to the Hon. Minister something that was happening in San Fernando and it is well known that there are licensing officers in this country who are in collusion with driving schools and they are passing people.

Hon. Member: Corrupt.

Dr. Rowley: Yes.

Dr. S. Rambachan: Corrupt. “They corrupt.” People in Chaguanas are told go Point Fortin and pay \$1,500 if you want your licence and you will get it faster. That is happening. How are we going to deal with that? What is the law prescribing and why are people tempted to do all of this? Madam Speaker, the corruption in the system is also due to bureaucratic blocks that make people frustrated and they say, “Look, you know, leh me just pay and get this thing done with. Just pay and get this thing.” Inefficient processes and low productivity. How long are we going to put up with this?

The performance management systems are weak. And, Madam Speaker, and Attorney General, we can have all the laws and we can have everything but if you do not have a performance management system, you are not going to improve anything. Performance appraisal is after the fact. The role of senior police officers in this country is really how to manage performance and that is very different. And in managing performance, you have to settle clear goals, measurable goals for people, as the Prime Minister has indicated, he is now going to do with his Ministers and MPs, set clear goals for them. I remember as a Minister of Government, I had to report every month on the goals I had set for the year and the previous month and track them, to the Prime Minister and therefore, but—so there is a difference and I urge for performance management rather than performance appraisal.

The other matter I want to make which I think Mr. AG has alluded to in this Bill is the fines for vehicles with loud music systems and the playing of this in residential areas in particular. I mean, you still see maxi-taxis with all these big music systems and they are blasting them. You know about the video systems in maxi-taxis in which children see what they are not supposed to see.

3.30 p.m.

Madam Speaker, in this regard, while it is that the law here may have provisions, the question has to be asked in relation to what is the EMA doing with respect to noise pollution in vehicles. What is the EMA doing also with this black smoke that keeps coming out of diesel vehicles in particular on the roads? When last have we seen EMA officers on the road testing vehicles? Madam Speaker, what I am alluding to here, and I hate to say it, is that there seems to be some kind of institutional collapse in this country of institutions [*Desk thumping*] that are designed to deal with the real problems of people. Institutions are collapsing all around us because somehow there is an absence of inspirational leadership to guide this country [*Desk thumping*] and to guide these institutions.

The politicians aside, but there are managers in the system also who need to lead and manage. It seems to me people have dropped their hands in this country, and what we are suffering from is something called “malich” and malaise, and something has to be done very quickly, because as a result of this failure to produce and to act and to do our jobs, what is happening is the hopelessness is increasing in the country. That is a dangerous thing for us, very dangerous.

Madam Speaker, I am on the ground and I know and I feel and I hear and I sense it. I do not want to say any more on that, but take drag racing for example. People are still drag racing. The People’s Partnership administration when I was there—Mr. Frankie Boodram and Mr. Robert Amar came to me and asked that we repave the drag racing circuit at Wallerfield. And for the first time in 30-something years, they told me, it was repaved. So you have a facility that can be used. Why are you not penalizing people even more for not using the facility that has been provided by the State to drag race, but you come and you are interfering with the safety of people?

Madam Speaker, as I come to the close of my contribution, I want to also suggest, that a defensive driving course should be a prerequisite for a driving permit in this country. I want to suggest that driving instructors, there should be other ways to test driving instructors to really see whether they are capable of teaching people to drive, or whether they are au courant with really what are some

of the things that people should know. I say this, Madam Speaker, because again, I refer to the propensity of accidents among youths. You get a driving permit but can you drive? Can you really drive? [*Crosstalk*]

So, Madam Speaker, the one thing I did not touch in relation to this, and I think it is important, is the cable barriers along the highway. Madam Speaker, I have statistics about the cable barriers and how many hits there are and so on, along the cable barriers and that is well known, but the point I want to make about the cable barriers is this. The cars are hitting away the cable barriers—and by the way, it is very costly to fix those cable barriers, very, very costly—and I want to suggest that insurance companies should be made to pay the cost of those cable barriers. [*Desk thumping*] Insurance companies because they pay to repair vehicles, but now they are damaging property of the State.

Why insurance companies cannot be made to pay? Why? [*Crosstalk*] It does not matter to me who. I stand as a parliamentarian on the side of what is right. [*Crosstalk*] It technically cannot be done, but it does not prevent me from raising it. [*Crosstalk*] It can be done? I am happy to hear technically it can be done, because I think it is so important. The cable barriers, in 2012, you saw the number of hits on cable barriers per month. In 2014, the average hits were about 15 per month on the cable barriers, 15 per month. It cost a lot of money to fix it. In fact, Madam Speaker, because of those cable barriers we have saved lives. I have seen cement trucks get hooked onto those cable barriers.

Madam Speaker: Hon Member for Tabaquite?

Dr. S. Rambachan: Yes.

Madam Speaker: Your time is up.

Dr. S. Rambachan: Thank you very much, Madam Speaker. [*Desk thumping*]

Mr. Barry Padarath (Princes Town): Thank you, Madam Speaker. The Bill before us today is “An Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50 to introduce a system of traffic violations for certain breaches of the Act, to provide for the implementation of a red-light camera system, a demerit points system and the reform of the fixed penalty system and related legal proceedings and other related matters”. Madam Speaker, quite a mouthful.

Madam Speaker, some of the issues that the Hon. Attorney General raised when he piloted this Bill in the House, he indicated that he was taking a common-sense approach in the reform of our laws, and throughout my contribution, I would like to speak to some of those reforms that the hon. AG has taken a common-sense approach to.

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The Attorney General has been speaking in several quarters about a suite of legislation with respect to different things, one of which being a crime-fighting initiative. But, Madam Speaker, today we are looking at decriminalizing certain offences and turning them into violations. We heard from the Attorney General that, with respect to the demerit points system, that he had the opportunity to visit Jamaica and look at Jamaica's legislation, and also their software to see how it operated, how it functioned and also some of the successes that that was met with. Unfortunately, Madam Speaker, there are other areas with respect to the Jamaican legislation that the Hon. Attorney General spoke of that he did not address, and that will form part of my contribution as well.

In determining how we proceed with this Bill, we must ask ourselves: what is the motive of the Government? What are their objectives? What do they hope to achieve from this Bill? Madam Speaker, a Bill like this must not be a temporary bandage for an ailment that requires really an overhaul surgical procedure. [*Desk thumping*] We must be dealing with the causes and not only the symptoms. Again, the Member for Tabaquite spoke about some of those causes. The hon. Attorney General went into a few of them, but Madam Speaker, this Bill really requires us to drill deeper into some of the issues that it seeks to address.

Madam Speaker, the hon. Attorney General identified to Members of the other place that the Government had determined that there are several areas in which this Bill could assist. The AG stated that making some prior traffic offences, now violations, would relieve the overburdened and overcrowded Magistrates' Courts. And, again, the hon. Attorney General took us through the judicial statistics with respect to how many magistrates deal with criminal matters and so forth. Again, Madam Speaker, that is one of the areas that I too would like to focus on because I believe if not a total overhaul of our Licensing Authority here in Trinidad and Tobago, the objective identified by the hon. Attorney General, Member for San Fernando West, might do quite the opposite of what he is looking at in terms of relieving the burdens of the Magistrates' Courts and the administration of justice in Trinidad and Tobago.

Madam Speaker, I turn to a *Guardian* article dated May 03, 2017 written by Gail Alexander and it stated:

“Move over Property Tax—Government's next big revenue earner might be coming from traffic fines under upcoming Motor Vehicle legislation.

And under that law, if you break the red light in future you may be helping the state earn money.

Attorney General Faris Al-Rawi piloted the legislation in the Senate yesterday to introduce a new system of traffic violations.

He noted that revenue earned from traffic matters over 2010 to 2016 totalled \$250 million—and that was when only 36 per cent of people complied”—between 2010 to 2016 had—“paid their ‘tickets.’”

Madam Speaker, the AG in that article indicated that the Judiciary’s annual report between 2011 to 2015:

“showed there were 120,000 traffic cases done over that period, netting”—roughly about—“\$171m in revenue for the state. But again he noted the compliance rate among those who paid tickets was only 36 per cent.”

Madam Speaker, the Member for Tabaquite, and even the hon. Attorney General, when he piloted, he spoke about renovating the systems, looking at the architecture and looking at how if we renovate these systems that we can generate further revenue if the systems are implemented and if the systems are addressed in such a way that we can actually hold persons accountable for the fines that they would have incurred.

Madam Speaker, in that article, the AG said:

“...the legislation seeks to introduce a system of traffic violations for certain breaches of the law. It decriminalises road traffic offences by converting them to violations. However, serious offences—blood alcohol”—and, again, the Member for Tabaquite spoke about it—“levels, reckless driving, causing death—won’t be decriminalised.”

You know, Madam Speaker, when I became a Member of Parliament in September of 2015 to roughly around Carnival of this year, in total I have been stopped six times and administered a breathalyser. And in complying for these six breathalysers, I am very proud and happy to say that on every occasion [*Desk thumping*] the reading was zero, But, Madam Speaker, some people are not as fortunate because of their choice in conduct. Again, it is one of the areas that I will deal with a little bit later on.

“The legislation particularly provides for implementation of a ‘red light’ camera at traffic lights. If motorists break the red light, the camera will snap a photograph of their vehicle’s number plate.”

Again, the Hon. Attorney General told us that he is going to be introducing additional legislation come September that will deal with licence plates in this country.

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“A report will then be sent via mail to the vehicle’s owners, along with a notice of the breach of the law, the photo and details of the legal process to deal with the matter.

The legislation also introduces a demerit point system and fixed penalty system. It also provides for a vehicle’s owner and user of the vehicle holding a driver’s licence to be liable for any breach committed via the vehicle.

Al-Rawi noted the judiciary’s recurring call for the large numbers of traffic matters in courts to be handled in a way that won’t monopolise magistrates’ time. Over August 2010 and July 2016 there were 67,926 cases concerning outstanding traffic matters, he added.

‘We have a situation where people believe the criminal justice system won’t move as it’s overburdened,’...”

That is something that the Hon. Attorney General has said time and time again.

But, Madam Speaker, let us take the first point of that article that deals with the traffic offences before the Magistrates’ Court. When we look, the annual reports, as the AG indicated, stated that the figures are quite high and this could be of beneficial interest to the legal justice system. Now, Madam Speaker, I will show later on in my contribution as I said that this could actually be quite the reverse if we do not look at the overall picture.

This country has developed a reluctance and has lost confidence and trust in some of the institutions as mentioned by the Member for Tabaquite. If we do not make a complete overall of the licensing office here in Trinidad and Tobago—and I look forward to the additional pieces of legislation brought by the Member for San Fernando West, because there is a general feeling in this country—and I understand what the argument of the hon. Attorney General was and he said, well we would look at making these offences into violations, and then we will seek to impose the penalties and so on. As we continue along, we will keep adding. But, Madam Speaker, if we do not look at an authority like the licensing office in Trinidad and Tobago in its totality, really in effect we will be doing more harm than good in my estimation.

Madam Speaker, the third point that appears to be on everyone’s mind with respect to these amendments to the Motor Vehicles and Road Traffic Act had to do with the stiff penalties associated with the violations. Again, I first stated that Government’s motives must be a genuine one. They must attempt to create a new

system that will affect the commuting public and their lives in a positive way. Many in the country fear that the Bill before us is really a money-making scheme. Madam Speaker, those are not my words, but I have seen from many commentators commenting on this particular Bill coming before that they do not have trust and confidence that this is really looking at changing the cultures, as the Hon. Attorney General said, in terms of how we look at the traffic offences and traffic violations.

Madam Speaker, the Government has to address some issues that are shaded in grey with respect to this Bill in order to gain the public trust and confidence. It cannot be seen as surreptitious in nature and gives no redress to the motoring public of our country. Madam Speaker, in the Senate, several amendments were made, several proposals were also advanced and were not accepted, but these are the essential points that essentially came out of the Bill before it came to the House.

- (1) Obstructing a traffic warden on duty or failing to comply with his or her directions can attract a fine of over \$10,000 and/or six months in prison raised from \$300. There is no limit to the motorists.
- (2) The introduction of the red-light traffic camera system. Persons captured breaching the red-light traffic camera system would be fined \$7,000 which is a new fine. The red-light traffic camera means an electronic device for the purpose of capturing and producing photographic images and video recordings of traffic violations.
- (3) Unlawful interference with the red-light traffic camera will now carry a fine of \$10,000.
- (4) Violating the speed limit has a maximum fine of \$3,000 and varies based on how far the speed limit a motorist travels. It is a fixed penalty fine and motorists can accumulate a maximum of six demerit points.
- (5) Driving without a seat belt has a fixed penalty of \$1,000 and four demerit points. However, should the ticket be contested, Madam Speaker, drivers face a maximum of \$4,000 for their first offence and a maximum of \$8,000 thereafter.
- (6) The driver will also be made liable for driving with a person in the front seat who is not wearing a seat belt and faces a fixed penalty. This also carries four demerit points.
- (7) Drag racing on highways without the consent of the Commissioner of Police carries a fine of \$6,000. Again, something that the Member for Tabaquite raised and something that we support up from \$2,000 and the prison term was

removed. This carries 14 demerits. And, honestly, Madam Speaker, I would like for the hon. Attorney General to indicate to us why was the issue with respect to the prison term removed with this particular clause that was dealt with in the Bill.

- (8) Driving with a child under the age of five without a car seat carries a fixed penalty of \$1,000. However, if contested, motorists can be fined the maximum of \$4,000. It also carries four demerit points.

Reform fixed penalty system, Madam Speaker. Now, this is to target persons who are issued tickets and fail to pay them. The new system will address this. If a person wishes to contest a ticket, he or she must file a notice, as the hon. Attorney General has indicated, to the court indicating the intention to contest within 14 days of the ticket being issued. If this is not done, and the ticket is not paid within 30 days, the motorist would be required to pay the ticket value plus a quarter of the ticket value. So you are paying the ticket fine and also a quarter, but it does not go down to address whether or not if you put yourself before the court in terms of making an application, it does not address the circumstances under which you can seek redress with respect to the fines incurred here.

Madam Speaker, for example, if the fixed penalty is \$1,000, motorists will be required to pay \$1,250. Failure to pay this within the first 14 days after due and 30 days has passed would result in the cost increasing up to an addition of half the ticket cost. Based on the example above, the cost will now be one \$1,500. Now that is just an example. If this is not paid, then the Licensing Officer would write the motorist informing of the unpaid ticket. After a period of time, the motorist's licence would be cancelled until the ticket is paid. The motorist would also not be able to complete any transaction with the use of his or her driver's permit or the vehicle until said ticket is paid. Only if a person decides to contest the ticket would they face the maximum fines outlined.

Madam Speaker, in some ways some persons have indicated that they believe that this structure is really an unfair one, especially considering the economic climate that we are in. While I understand the merits with respect to some of these fines, I think when you see later down when you look at international benchmarks in other countries that share a similar jurisprudence to ours—that shares this entire piece of law and has advanced it in their own countries—you will see that there is a huge disparity in terms of the fee structure.

Madam Speaker, the Licensing Authority shall with respect to the demerit points system, for the purpose of administering demerit points, establish and maintain a register to be known as the demerit points register. If a motorist is convicted for

an offence or traffic violation it would be recorded by the Licensing Authority in the demerit points register system. Over a three-year period, if a motorist accumulates 10 to 14 demerit points, he or she can be suspended for six months. And, again, I believe that there are some of these issues that need to be further fleshed out with respect to the cancellation and/or suspension of licence with respect to persons accumulating the demerit points.

The Hon. Attorney General pointed us, and he said if you look at the Schedule that you will be able to see some of the offences that will now become violations. Madam Speaker, that in itself, when you look at it, it has shortcomings and there are loopholes and there are offences that have not been mentioned that have not been turned into violations which this Bill does not address.

Madam Speaker, while I believe in the principles contained in some of the amendments, I also believe that there are shortcomings and loopholes as I have indicated. The issues—and the hon. Prime Minister prompted the Member for Tabaquite to use the word “corruption”, corruption in the sense of the system again, the system that we have inherited for over the past few decades that really is in need of rooting out the levels of corruption that it has in order for us to advance a piece of legislation like this, and for others to come, as the AG again has indicated, in September.

For years we have been hearing about duplicate licence plates. We have been hearing about duplicate licence numbers; corrupt officers accepting bribes to pass driving tests; duplicate licence plates as I have indicated; long lines and delays at licensing offices; no stickers available for inspected vehicles; and allegations of overzealous officers with respect to issuing tickets.

Madam Speaker, in the public domain, and this is not me saying this, but I read an article recently in the *Trinidad Express* and the comments that were suggested under that article, if you check online, spoke about mandated quotas for the issue of traffic violations. Again, Madam Speaker, I believe that it is the onus of the Members of the Government to indicate whether or not these allegations that are being put in the public domain of this really being a money-making scheme—some have likened it to a Ponzi scheme—to whether or not these are actual realities where they have identified certain lights and they are going to put into effect through those who will be effecting the legislation, actual quotas. Madam Speaker, you have all this going on in a system that the people of our country has lost faith in. This Bill does not address many of those woes at the Licensing Office.

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Madam Speaker, let us look at the demerit system. And, first of all, I sincerely hope that this would not be a repeat of the property tax fiasco and that the Government will embark on an education programme to properly sensitize the population on how the demerit system will work. [*Desk thumping*] Again, you cannot bring legislation, drop it in the public domain, leave more questions than answers and not explain to the public, especially the motoring public, how this will affect.

I would hope when the Hon. Attorney General or any Member who speaks from the Government side will be able to give us the statistical data with respect to not only how many young persons between the ages of 18 to 35 are holders of driver's licence but also give us a breakdown of some of the other age groups.

Again, Madam Speaker, this would have serious implication on the education programme that must be provided to our citizens to explain how the red-light traffic camera system will work; whether or not this is going to be implemented across the board in terms of throughout the country; or whether or not we are going to continue seeing just pilot projects, pilot projects and no real effective measures by putting these cameras across the country, but also at the same time the demerit points system.

You know, Madam Speaker, from my own personal experience, a few years ago, I was involved in a very serious accident and the driver was charged with drunk driving—the driver that hit me was charged with drunk driving—but when we got to the police station there were no breathalysers to be administered in the police station and, thankfully, one of the officers insisted, from another station who had stopped to see what was happening, indicated that they needed to go to another police station to have the breathalyser administered. The person who was involved in the accident who was driving on the other side, the wrong side of the road with a head-on collision, was charged with being over the legal limit three times—three times.

Madam Speaker, when that case went to the High Court—and the judgment again, I would not go into the details of it, because it is before the courts—but do you know in the police report there was no mention, absolutely no mention that the driver had surpassed the legal limit over three times. These are some of the loopholes that I hope will be addressed in terms of sensitizing our population in terms of what are their rights, but also what some of the demerit points system, the red-light camera system will effect in terms of turning offences into violations.

Madam Speaker, the penalty point or demerit points system is one in which a driver's licence, licensing authority, police force or other organizations issue cumulative demerits or points to drivers on conviction of road traffic offences or violations. Points may either be added or subtracted depending on the particular system in use. Usually both addition and subtraction are used in many countries. I looked at the Attorney General's *Hansard* from the Senate when he piloted and even when in his wrapping-up and, again, he dealt with the issue of addition of these demerit points, but gave very little information in terms of the subtraction of these points.

I am hoping that someone from the Government side would have looked at the Bill in its entirety—would have had consultations with the Member for San Fernando West and others who would have been instrumental into this Bill—to guide us through whether or not this Bill deals with subtractions and how. I am hopeful that the hon. Attorney General will clarify at some point on the area of the demerit system when it comes to subtracting the accumulated points.

I am aware that in part of the Bill, it says that a defensive driving course—and the Member for Tabaquite indicated that it was his desire to see that a defensive driving course be made mandatory for 18 to 25 age group for first-time licence holders. But, Madam Speaker, I am aware that while the Bill says that the defensive driving course can negate accumulated points, I have no faith in that, because again what we are doing is entrusting a system that has serious clouds hanging over it of suspicion and corruption. Who is now going to be entrusted with the job of determining who gets back their licence?

Madam Speaker, you have heard from both sides of the House in the crosstalk, persons were talking about Point Fortin and Chaguanas. It is across the board in this country. You are putting that same power in the hands of those who have allegations of corruption against them. Madam Speaker, that is why I say if you do not look at a total overhaul of the system and you seek just to bring piecemeal, piecemeal legislation it will not have the desired effect that you want it to have, and that is why I say you will end up having more problems in the Magistrates' Court in Trinidad and Tobago if some of these fundamental issues are not addressed.

You know, Madam Speaker, in bakeries they say when you have hot hops it goes right off the shelf. You also hear about who can pay the highest bidder, and with the culture and the attempt to change the cultures indicated by the Member for San Fernando West, we must also put the system in place to change that culture. Again, you cannot come to us—and you are essentially putting the cart

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before the horse—and say yes, yes, yes, all of this will work, grandiose ideas which we believe that there is merit in some of these ideas that will bear some fruit but if we continue to put the cart before the horse and do not change the system, we will not see the desired outcomes.

The points that are accumulated are typically applied after driving offences are committed and they are cancelled sometimes a few years afterwards or after other conditions are met. And, again, this is another loophole that exists, because what we should have heard from the Hon. Attorney General today that in this law, these are the conditions that should be met with respect to the subtraction. Again, this is a fundamental loophole. As I have indicated, I have not seen from the *Hansard* and from the hon. Attorney General's explanations how we are going to deal with the issues of the conditions that should be met with respect to subtractions.

4.00p.m.

Madam Speaker, if the total exceeds the specified limit the offender may be disqualified from driving for a time. Again, it does not give us really timelines in terms of the breakdowns, in terms of when you accumulate the 10 to 14 category, in terms of we hear about the six months in one instance, but when you look again at jurisprudence that exists in some of our Commonwealth countries, they look at a prolonged period, especially for the 18 to 35 age group. Madam Speaker, demerit points are accumulated by breaking traffic conduct rules. Most countries uphold their system with varying amounts of points and methods for punishment, which can include, but are not limited to, temporary suspension of licence, permanent suspension of licence, monetary fines, et cetera. Points are generally removed based on passage of time without incident.

Madam Speaker, again another loophole, because in some of the other jurisdictions, and I will list some of them, when it deals with the issues of incident while you have been accumulating these demerit points, it also carries jail terms. And, again, this is an area that has not been addressed in this particular piece of legislation. Keep in mind that the demerit points system or the penalty points system does not cover major offences, as the hon. Attorney General has said, but, really, it is something that should be considered, because of the fact in several other areas, several other countries, some of these very issues, serious offences, such as hit and runs, drunk driving, crashes causing death, would definitely not be judged under this system as the law relates with respect to this particular Bill, but it is something that should be considered when you look at other jurisdictions.

Madam Speaker, another loophole that this Bill does not address, again, the Member for San Fernando West tells us, it is coming, it is coming, it is coming. Madam Speaker, we have been here for close to two years and we have been hearing that mantra over and over, and over again, that they bring a piece of legislation, you amend one or two pieces of the parent Act but it has so many loopholes to it that it does not really deal in substance with some of the failed systems that you expect this to function and work in. Madam Speaker, I do not dispute that some of these matters contained in the Bill will be of beneficial interest to the people of Trinidad and Tobago; however, what I remain most constant and concerned about is process in fixing the system. Our system has been synonymously known with corruption and bribery in licensing, and, therefore, whatever we do today—[*Interruption*]

Madam Speaker: I would ask you to move on, please.

Mr. B. Padarath: Sure, Madam Speaker. Whatever we do today, and I will move on from that, we must fix that.

The Bill seeks to introduce a red-light camera system similar to other parts of the world, that once a red light is broken your ticket will be issued via the mail through a tracking service. While we are on the point of the camera red-light service, I would also hope that the AG and the Minister of National Security would advise us of the status of the operations of the CCTV camera system that was put into effect throughout Trinidad and Tobago under the People's Partnership Government to help in the fight of more serious crimes.

Madam Speaker, let us first deal with what appears to be the most troubling issue for the motoring public with respect to this Bill, and that is the violations in respect to the proposed fee structures. Now, Madam Speaker, a few Tuesdays ago, the proposed amendments on the Motor Vehicles and Road Traffic Act were approved by Members of the Senate. The changes, particularly the increases in fines are already being met with opposition from some members of the public, and yesterday, Madam Speaker, I saw—it was TV6 that ran with a story saying that the Minister of Works and Transport, the Hon. Mr. Rohan Sinanan, is advising citizens not to panic as the amendments are not yet law.

Madam Speaker, as I go through some of those I would hope, again, someone from the Government side will tell us whether or not these violations in terms of the fee structures are really the intentions of the Government, and that they are fixed on these positions, or whether or not they will be open to reviewing them in the context of other areas.

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Madam Speaker: Hon. Member, your original speaking time is now spent. You are entitled to 15 more minutes. If you intend to avail yourself of it, you may proceed.

Mr. B. Padarath: Thank you, Madam Speaker. Madam Speaker, for a first-time offender, according to this Bill, who breaks a red light will be charged TT \$5,000 for their first violation. The second violation will cost TT \$7,000. Madam Speaker, some in this country have described and likened the fee structures in many different ways, but for the same offence in the US this is the fee structure, US \$100 out of 42 states in the US, US \$100 to US \$300 for the first offence; US \$200 to US \$500 for the second offence in 18 months; US \$500 for the third offence in 18 months. Madam Speaker, in UK this is the structure: for the first violation it is 100 sterling, with demerit points accumulated at three points; for a second infraction it is 150 sterling pounds. Madam Speaker, in Canada, as of January 01, 2010, the set fine for running a red light detected by a camera system was increased to \$260, plus a \$60 victim charge, and a \$5 court cost. The payable is now \$325; prior to the increase the set fine was \$155, plus a \$35 victim surcharge; that is Canadian dollars.

Madam Speaker, the Attorney General spoke much about Jamaica, and he gave us one of their anecdotes or analogies where he said that in Jamaica they say that, while you are flying the plane you build the plane. Again, he told us about the software, and that he observed the legislation and how it is working across there, but he really cherry-picked what areas he wanted to address. You know, Madam Speaker, in Jamaica, with respect to the red-light camera system, they moved from \$1,000 Jamaican, just recently, for a red-light violation to \$24,000 Jamaican. Madam Speaker, \$1,000 Jamaican is about US \$8, and now that is moved to \$24,000 Jamaican, which is now US \$185, roughly. Madam Speaker, when these figures are compared to what the Government of Trinidad and Tobago is proposing, you see an astronomical hike, in some cases 400 and 500 per cent increases. I am advised that the Government is looking at profiteering at over \$20 million at each intersection.

Madam Speaker, let us look at some of the other violations the Bill proposes. A fine of obstructing traffic wardens to be increased to \$10,000, when you look at the British model the fine is £70. No wonder the average citizen feels like this is more about moneymaking rather than improving the system. Madam Speaker, the countries that use the red-light camera system have trained officers. They review every picture to verify vehicle information and ensure that the vehicle is in violation. Tickets are mailed, as we said, Madam Speaker, there is no mention of

whether such a system will be put in place here. I know these concerns were raised in the Senate, Madam Speaker. I know Sen. Ramkissoon and Sen. Shrikissoon, and Sen. Khadijah Ameen also raised some of these issues, and the Attorney General, having admitted that the entire issue of a tribunal, an independent tribunal, to look at some of these areas where people feel aggrieved has not been properly thought out.

Madam Speaker, in dealing with the traffic violations, providing a course of redress for those who believe that the ticketing, or imposition of fines and sentences are unjust, as I said, there is very little course for redress. In parts of the Bill you are penalized even further if you contest the matter in a court of law. Madam Speaker, these astronomical fines will see high numbers of persons contesting these violations. What you may see happening is actually more cases before the courts, I have said. I suggest that in order to bring public trust and confidence in supporting the legislation that a traffic penalty tribunal—and if you look at England and Wales, they were able to establish this traffic penalty tribunal which comprised, individually appointed independent adjudicators, and a small team of administrative staff who work on their behalf. Madam Speaker, the adjudicators consider appeals in relation to the penalties and some of the offences and violations that were attempted to deal with, and they looked at several ways that they can do this. They looked at the e-decision, which is like a postal, through the email service that you can plead your case.

Madam Speaker, do you know, as it is in the law right now of Trinidad and Tobago, the police officers are required to provide evidence if you are contesting. As the Attorney General rightfully said, that the police officers would be required to provide evidence, they could be questioned, cross-examined, et cetera. Madam Speaker, you have traffic wardens and you have licensing officers who also issue these traffic offences through tickets, and so on. In the law it does not provide for them to be called before the courts. It does not provide for them to justify their actions or to be cross-examined, and this, again, is another loophole feature that exists in this Bill, demonstrates that this Bill really has not been totally well thought out. I have listed several loopholes that exist in the Bill. While we say that the intention of Members opposite may be a good one, while the rest of the country may be questioning whether or not this is a Ponzi scheme, a money-making scheme, I see merit in some of these, Madam Speaker, but it can only work if they change the corrupt system that we have inherited, and address the loopholes that exist in the law.

Madam Speaker, another way of that tribunal working is through telephone hearings. Another way is through the face-to-face interactions. You know, as I wrap up, we speak so much about this demerit points system, and the Hon.

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Member for San Fernando West, Attorney General, said that, ad nauseam, so many administrations it spanned with respect to the demerit system.

Let us look at some of the areas that should have been addressed in this particular piece of legislation that deals with the demerit point, especially, that does not really give effect through this legislation. Madam Speaker, when you look at 43 of the states in the United States, you look at six of the provinces in Canada, you look at the Jamaican model, you look at the New Zealand model, with respect to the demerit points system, these are some of the issues that are addressed that are not contained in this Bill. And, again, while the Hon. Attorney General wanted to give us comfort, and, say, “well, yes, yes, I have looked at all these jurisdictions because we share their jurisprudence, and so on, it can work here as well”, again, cherry-picking what he wanted to tell us with respect to the other areas in terms [*Desk thumping*] of the shared jurisprudence, but, again, leaving out a majority of violations and offences, in some instances, that this Bill does not address.

Madam Speaker, again, I raise the issue, and the AG must tell us, why can we not look at negligent homicide with respect to the demerit points system? Why can we not look at driving while the privilege to do so is suspended or revoked, which carries six points, demerit system, in many countries that we share the same jurisprudence that we are looking at advancing here today in this Parliament? Operating with foreign driver’s licence when permit is suspended or revoked by the State, two points. Driving while under the influence of intoxicating liquor, again, the Member for Tabaquite told you the statistics with respect to the consumption of alcohol; 10 points, Madam Speaker, in many of the jurisdictions, the hon. AG pointed out. Driving while under the influence of any drug—and I am very happy the hon. Attorney General said that in September, but, Madam Speaker, I cannot see that why, today, this Bill could not deal with that particular matter. Will that penalty carry 10 demerit points?

Madam Speaker, failure to stop immediately at accident scene where a person is injured carries eight points. Failure to remain at accident scene where a person is injured is eight points. Failure to stop immediately at scene where a person is killed, eight points. Failure to remain at scene of accident where a person is killed, eight points. Failure to render reasonable assistance in injuries, eight points. Failure to identify self and vehicle when involved in an accident, four points. Failure to submit written report of accident within 10 days, Madam Speaker, four points. Holding a race or speed contest on a highway without written permission or authority, five points. Fail to give notice of accident by quickest means, four

points. Madam Speaker, this is an area where in Trinidad and Tobago many accidents go unreported. Madam Speaker, again, that same accident I told you that I was involved in, the person drove off, we had to go and find in the Licensing Office, the licence plate number for that person, and this, again, does not address a big issue like that in Trinidad and Tobago where many accidents go unreported.

Madam Speaker, we have to look at careless driving, which carries two points in many of these jurisdictions; reckless driving carrying five points; eluding police officers, five points; failure to stop immediately at property damaged accident scene, four points; failure to remain at speeding intersections, restricted speeding zones, three points; speeding 25 miles per hour, urban district, three points.

Madam Speaker, as I have indicated, there are other areas that really should be addressed in the demerit point system. Failure to reduce speed when approaching intersection, three points; speeding 55 miles per hour, three points; speeding limit established by motor vehicles division, three points; failure to pull over when operating slow-moving vehicles, and, again, the Member for Tabaquite raised this which causes serious accidents in some of these carriageways that cannot accommodate dual vehicles in the same direction. Speeding at 60 miles per hour, truck limit—and, again, the Member for Tabaquite touched a little bit on that, but this Bill does not address that while many of the jurisdictions that the AG looked at, it carries three points.

Madam Speaker, violation in use of a temporary driver's permit, another serious problem of our young offenders in this country carries two points in many of the other jurisdictions. Failure of person to subject themselves to traffic control at a roadblock, two points; towing more than one vehicle in combination, two points; and, again, we must look at some of these companies who are involved, the used-car dealers, as well as those who are involved with new vehicles, they too must be held accountable for their actions. Many times we drive and we see them in tow with several vehicles, and it is a violation. Madam Speaker, if we do not look holistically, as I have indicated—I have gone at great pains to do a lot of research to show you that the fee structures that exist in many countries are much higher than what is being proposed. The violations that exist in this particular Bill do not deal with many of the problems that exist with respect to motor vehicle issues in this country.

Madam Speaker, again, while there are good things in the Bill, while it does have some merit, I cannot help but feel that somebody somewhere was being very lazy, and, therefore, it was the onus of the Hon. Attorney General to not fall into that lazy mode and bring a piecemeal Bill to the Parliament. They should really have

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looked at all of these violations, as I have said, and not look to score either cheap political points by giving the public the assurance that we are dealing with the Motor Vehicle Authority, or they are looking to create more avenues for revenue streams. I hope, Madam Speaker, that the intentions are noble, that they look at some of the violations that exist in other jurisprudence, in some of the countries that I have mentioned, in terms of turning the violations into offences.

As far as I have seen, Madam Speaker, this Bill requires a lot more clarity. The Attorney General, and other Members opposite, have more questions than answers that they have provided. I really hope, Madam Speaker, that today we would hear that the other Members will ventilate some of the shortcomings that are provided in this Bill. But it is my view, and those of us on this side, that some of the good things that were contained in the original People's Partnership Bill would be advanced here to change the lives, positively, of the motoring public, and not just seek to impose more hardship on a society that is already feeling the burdens of an incompetent Government. Thank you, Madam Speaker. [*Desk thumping*]

Madam Speaker: Member for Laventille West. [*Desk thumping*]

The Minister of Public Utilities (Hon. Fitzgerald Hinds): Thank you. Thank you very much, Madam Speaker, for recognizing me on this occasion. Thank you very much. Madam Speaker, I have just listened to our colleague, the Member for Princes Town, I must say, if he was driving and I was a traffic warden or police officer, I would have taken away every point and disqualified him thereafter. Madam Speaker, I say so, and before I get into the reasons really why I say so, he commended to us, to this House, example after example about situations in the USA. I only want to remind him, the Member for Princes Town, that in the United States taxes are very, very important. They passed legislation we call FATCA. They needed our support, and they opposed it, now he is commending the United States to us.

Mr. Singh: No, we voted for it.

Hon. F. Hinds: I know, kicking and screaming, under public pressure.

Madam Speaker: Member for Chaguanas West, remember you are in the position of the Whip today, please.

Hon. F. Hinds: So I really am not too interested in hearing anyone on that side commend things from the United States. This is Trinidad and Tobago, this is a Bill, the Motor Vehicles and Road Traffic (Amdt.) Bill, 2017, presented here by the Government of Trinidad and Tobago through the lips of the Attorney General of Trinidad and Tobago. [*Desk thumping*]

While I am on the Member for Princes Town, in schedule eight of this Bill, at page 42, in schedule eight, just for the listeners and the viewers, there are a host of descriptions of traffic violations or offences, all listed here. In the second column, the relevant section or regulation; in the third column, the fixed penalty amount; and in the fourth column, the demerit points. For an example, at number one, “Using or altering a motor vehicle or trailer for a purpose not authorised by the registration or Licensing Authority”, in breach of the particular section the fixed penalty is \$1,000 and the demerit point is three, and it is all listed here.

The other matter I must raise, *en passant*, is that I heard my friend from Princess Town telling us about the number of things he discerned are not addressed in this. One Bill, as we told them sometime recently, cannot address everything. There is already in place the Motor Vehicles and Road Traffic Act, Chap. 48:50. This is merely an amendment to deal with particular issues, and some of the matters that the Member for Princes Town raised are already well taken care of in the parent legislation, which, obviously, he did not take time to look at. So I would like to dismiss him and disqualify him if I had the opportunity so to do had he been a driver. [*Desk thumping*]

I want to focus some of my contribution on a contribution made by the Member for Tabaquite. He pronounced very potently that people are on payrolls in this country, all across the system, and are not working earnestly for those incomes, and that is largely part of the problem and the reasons for the problems we face in Trinidad and Tobago. It is the only thing I could easily agree with the Member for Tabaquite on. I agree. I entirely agree.

He mentioned, Madam Speaker, and, again, *en passant*, that MVA building, which some people call a shed of shame, but, you see, we have done something about it. We spent, since we came into Government, just about \$3.5 million on roofing works, on flooring works to make it habitable to permit public servants to go in there to work. That was a building that was supposed to have cost this country \$45 million, wound up costing us \$249 million. When I was the Minister of Works and Transport and I demanded the file on that matter, having gone into that office, I got a file as thin as this, threadbare file, cannot find important documents, but that is not the end of the matter. “What eh miss yuh eh pass yuh.”

My friend from Tabaquite spoke about goals and monitoring. Well, there are members of the public of Trinidad and Tobago who would discern or who would think that the main goal of the past Government was to empty the Treasury, because we inherited—[*Crosstalk*] I could support that easily. This Government inherited a very trying set of financial circumstances, a very trying set of financial

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circumstances which we are ploughing through at the moment to a very impatient citizenry, but to largely a very patient and understanding citizenry to whom we give some commendation. The expenses on that building are not yet finished. I am advised by the current Minister that work is ongoing, after \$249 million for a small building, but, as I say, “it eh finish yet”.

As for cable barriers, the Minister of Works and Transport, within recent times, on three occasions made public pronouncements in this country that when and where damage is caused by negligent drivers to those barriers, given the cost of the repair, the high cost of repairs, they will be made to account. That was not done before, not even when my friend from Tabaquite was Minister of Works and Transport, and as Minister of Public Utilities I got myself a legal opinion a few months ago as regards damage to T&TEC’s property by errant drivers as well, and the law now exists such that the State could intervene as a third party in such legislation and stake a claim. It has never been done, and the Minister of Works and Transport has promised that that will now be a thing of the past, and the Government will exact its price from the insurance companies and the errant drivers, going forward. So my friend from Tabaquite raised it. I want to let him know it will be done, never before when he was there.

So, Madam Speaker, let me press on with my thing and I will come to the Member for Tabaquite later if I find some time. Madam Speaker, this Bill, generally, it is to introduce a system of traffic violations for certain breaches of the Act and to provide for the implementation of a red-light camera system, a demerit points system, and a reformed fixed penalty system, and related proceedings and related matters. When I perused the terms of this Bill, it is a most elaborate and magnificent piece of legal infrastructure, absolutely well laid out. You have heard arguments about the breach of the Constitution as if they do not understand that the Constitution says that certain provisions can be infringed, not only in accordance with Suratt and the Northern Construction case where you do not always need a special majority, but once there is due process. Because the constitutional provision that they raised in section 5, I think it was, talks about due process. This Bill is an elaborate labyrinth, a structure—

Madam Speaker: Hon. Member, please—

Hon. F. Hinds:—I am sorry, Madam Speaker—architecture, it is more than that you know. It is a tapestry, legal tapestry, because when I look in there, due process falls all over me. And, you know, Madam Speaker, it is there for all to see, particularly in the new section 88A, where in particular there are provisions for where a person or an offender fails to file the Notice to Contest, and that notice to contest is simply a situation where the offender is saying, well, effectively, “I am not pleading guilty, I am

not paying this fine because I have something in this to contest”. He is now made to file a Notice to Contest. As it now stands he does not have to do that, because the weaknesses in the current system gave him an advantage. This Notice to Contest takes away that advantage. Where he could simply sit and rely on the weakness of the structure, he now has to actively and practically file this notice, and if he does not then the whole labyrinth, of which I spoke, the whole structure in section 88B—the new section 88B as an amendment outlines the due process in subsection (1)(a) to (f). Magnificent, and I commend it to the Member for Princes Town as well.

But, Madam Speaker, this product represents two years, almost two years of serious work in this area. Before I left the Ministry we formed a group of professionals, including the Trinidad and Tobago Police Service, elements of the licensing division, the Judiciary. They walked all the way through and supported the wisdom of the due process provisions, in particular, in the measures as I have just described them: TTPost, because this requires on a proper postal system in order to send citations via the mail; the Ministry of Public Administration, the Office of the Attorney General, naturally, and quite naturally, even more so, the Ministry of Works and Transport, the Ministry out of which this comes. This team worked very closely and diligently together over a two-year period. When I say diligently, I mean that.

I myself participated on a number of the sessions in order to bring this to the refinement that it has now come to. It was a process of consultation and to define, and in some cases to redefine, a comprehensive implementation strategy in advance of passage of this legislation, so when this legislation is passed with the support of my friends on the other side implementation follows as naturally as Thursday follows Wednesday. [*Interruption*]

Madam Speaker: Hon. Members, it is now 4.30, we shall take the suspension; this House shall resume at five o’clock.

4.30 p.m.: *Sitting suspended.*

5.00p.m.: *Sitting resumed.*

Madam Speaker: Member for Laventille West, you have 18 minutes and 34 seconds left. [*Desk thumping*]

Hon. F. Hinds: Thank you very, very warmly again, Madam Speaker. When we took the break, I was making the point that we had put together a very professional team of all the key stakeholders who worked closely and diligently together. So that when this Bill becomes operationalized there will be a seamless collaboration as well between the key agencies of the State, as I described a while

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ago, that can further strengthen the gathering of intelligence, some of which was broached by the Attorney General in his contribution about the arches and the cameras and what have you and the licence plates and all of that, to continue that collaboration in the sustained fight against crime in Trinidad and Tobago.

So, the measures before us today are not about traffic management and the behaviour of some citizens simpliciter, it has as well to do with the more sustained focus on dealing with crime and the use of technology in so doing. Madam Speaker, the Bill before us seeks to achieve four very important things or elements—[*Device rings*]

Madam Speaker: Will the Member with the device kindly leave the Chamber and deal with their device, please.

Hon. F. Hinds: Decriminalization of certain traffic offences by making them traffic violations and that is a very critical thing. It moves it from the criminal jurisdiction particularly in the Magistrates' Court, treating it as violations and it could be dealt with administratively in collaboration with the Licensing Authority as the Bill will reveal; introduction of red-light camera enforcement system by inserting a new Part VA in the present Motor Vehicles and Road Traffic Act.

Thirdly, introduction of the demerit points system introduced in a new Part VA and reforming the fixed penalty ticketing system by repealing the current Motor Vehicles and Road Traffic (Enforcement and Administration) Act which governs the fixed penalty system, Chap. 48:52.

Madam Speaker, in order to fully appreciate what this Bill is designed to do and what, in fact, it will do, one has to understand a little better some of the tribulations, the troubles with the Magistrates' Court. The Attorney General alluded to it, but just for amplification, the justice system is a little bit slow, and that slowness, that sluggishness, has given rise to all manners of difficulties.

When I was the Minister of Works and Transport, I was very much involved in the formulation of the policy that gave birth to this legislation. A lot of research went into it and the evidence out of that research led us inexorably almost to the point of the legislative amendments that we have here. So again, this is here not because of the whims and fancies or the ego of the Attorney General or the Government or wanting to collect more revenue—necessary as collecting more revenue must be in these circumstances—but really it is as a result of identifying some key problems in the society which these amendments are targeted to resolve.

Let me quote in support of that, some statistics from the official website of the Judiciary so that, Madam Speaker, you and others could fully understand the significance of this legislation as a problem-solving mechanism.

Between 2014 and 2015, 66,792 tickets were issued; 43,445 were paid, raising revenue of \$37.1 million, but the unpaid tickets were 23,465. Between 2013 and '14, 76,181 tickets issued; 54,532 paid; 21,649 not paid and the revenue from that was \$50.2 million. Between 2012 and '13, 64,000 tickets issued; 44,000—I am just roughing it here now—44,000 paid; 23,837 not paid, yielding revenue to the State in the sum of \$39.7 million. And lastly, Madam Speaker, between 2011 and 2012, 81,346 tickets issued; 29,808 paid; 51,000, a greater number, remained unpaid, 51,538, yielding revenue of \$43.7 million.

So that in cases where they are not paid, the ticket itself is a summons because it has a fixed date on it, and it says that if you do not pay the fine by that date, and the ticket itself identifies a date, a summons for you to appear in court to challenge it on the basis of your non-payment. And therefore it is now listed as another matter, as if a police officer had filed an original complaint in the court.

So that between 2011 and 2015, 120,489 new traffic cases came on the Magistrates' Court' list as a consequence of unpaid tickets. In addition to the other traffic offences committed by drivers for which they would have been charged in the thousands, you can imagine how the system is choked and clogged, cumbersome and slow. Every day police officers have to attend court, police witnesses have to attend court, defendants have to attend court, the courtrooms are packed, the magistrates cannot get much done, and it is adjournments, adjournments. It makes a mockery of the justice system. It brings the justice system into disrepute. But those who are opportunists in our society seeing that weakness, they capitalize on it. It is better for them, they rationalize, not to pay the ticket since there is a high probability that the matter will never come to conclusion if they “doh” pay the ticket and they “doh” show up in court; because they know these facts. So those weaknesses in the system laid a playground for the opportunists among us and repeat traffic offenders.

One person, I am instructed, called in a radio station boasting that he received about seven tickets and he did not pay any and there was no sanction. Yes! And by so saying on public radio, it encourages other citizens to behave similarly. [*Desk thumping*] It demoralizes the police who would have taken time to issue these tickets. And in the Police Traffic Branch at the current time there may be approximately 343 traffic branch officers and you can imagine them grappling with 120,000 matters in the court and these magistrates, sometimes in uncomfortable circumstances.

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And where will these officers find time to go and do the other police work that my friends on the side are talking about? Because some of the criticisms about these measures is that the Government only wants to get money, raising revenue. Well, Madam Speaker, nothing is wrong with that, raising revenue especially in this time. When we cut back on expenses, they vex. When we impose taxes like the property tax, they challenge it, they vex. If we take money from the Heritage and Stabilisation Fund, they vex. If we borrow money to service the country, they vex. They “doh want nuttin”. They just vex.

George Chambers comes to my mind. They are too—let me leave that. But, Madam Speaker, how then—so that once the ticket is unpaid, it is listed as a matter in the court and you have this kind of situation out of which people can gain advantage. This new system being introduced in this Bill where if you do not pay the ticket, you cannot just sit down and expect to benefit from the inefficiency, as I have just described it, you have to do something else, as I said earlier, you have to now file a Notice to Contest, “yuh” have to make up “yuh” mind for that.

And if you do not do that, then when the ticket becomes due and you do not pay it, and you do not file the notice to contest, within 14 days it moves from \$1,000, for an example, to an additional—there is a penalty of 25 per cent. Much like what happens in NIB. Today is the 14th of the month, tomorrow is the 15th. If the employers of this country do not pay their NIS dues for their staff by 15th of the month, a penalty immediately of 25 per cent ensues. This is it.

I did a feature address or two in the United States and when I collected my cheques for my presentations, Madam Speaker, it was short on tax. Well they taxed it, withholding tax. Taxes are important everywhere, and that is the reason why we are pressing on the property tax. And I want to thank God that He intervened and put an end to some of the wickedness in the society against the property tax. But I will say more about that at another time and another place.

So, as I said, this is intended to improve the situation. People commit crime and break the law generally, including traffic violations because they have no fear of consequences. They see the weakness in the system. Look at what happened with Fr. Harvey. I do not want to go too far, but that is an example of the point I have just made, Madam Speaker. People now have no fear even for God. But I spent some time on patrols with the US police in the County of Halifax some time ago, as I said here before, and I saw how that system works. And I spent some time living in England too and I know when you do not pay, what happens when

you do not pay your ticket fine. Although on one occasion I challenged one. I paid it, challenged it, won the challenge and my money was returned to me, £45. So this Bill allows for challenges as well, Madam Speaker, due process, as I told you.

If a person does not appear in the current arrangements, a warrant is issued for your non-appearance, and then the police now has this warrant and they have to find you. You may have moved from Toco and now you are living in Carenage. All of these things happen. Or your address is light pole number 99 Naparima/Mayaro Road. You are hard to find.

So that during the state of emergency back in 2011 the only good thing about it that I recorded—everything else was wrong about it, misjudged, out of place, improper—the only good thing about it, the Trinidad and Tobago Police Service, an organization out which I had come as a young man having spent seven years of my youth in there, and trained recruits, as a police instructor myself, the police during those three months of the state of emergency—I think it was three months, yes—they executed 8,000 outstanding warrants in this country, warrants with cobweb. I mean, that I admired about the police service, demonstrating that they had the capacity to rise to the occasion, as they do today. As they do today.

The present legal framework does not empower the courts or the State to take other innovate punitive actions against an offender without adding the burden to the criminal justice system and the administration of justice. In other words, in the current arrangements there is no way you can deal with that offender, even a repeat offender, without adding the matter to the court list and adding to the burden. So it becomes in a sense, counterproductive. Hear the Chief Justice at the beginning of the 2015/2016 Law Term, let me quote it very quickly, in support of what the Attorney General is offering us here today. I quote:

“Traffic matters”—amounted to—“56,744 of the new filings”—during the year 2015. And—“I have been saying...over and over again. Magistrates do not need to be dealing with minor traffic matters like tickets. They should be doing case management and trials. The technology exists for smart licences and immediate electronic citation.

Maybe—“...in default one should not be able to register a new vehicle or renew a driver’s licence. An unsuccessful...challenge should...”—lead to a—“...doubling or tripling of the fine and...”—we should introduce—“...a points system...”—demerits points—“...with automatic disqualification beyond a...threshold and mandatory driver education before renewal...”—and I believe that that—“...should be effective at behaviour modification.”

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Madam Speaker, every single word expressed by the Chief Justice from his bully pulpit on that occasion is to be found in the measures in front of this House today: demerit points, an administrative way of dealing with the thing, the need for rehabilitation which I will come to later. Every single element is taken into account.

So, what we did in the Ministry of Works and Transport, what the Attorney General who was working constantly with us all along this process, we took into account the advice of the Chief Justice, and he was not the only one. As far back as 2007, Mr. Roger Hamel-Smith, acting as Chief Justice at the mark of the new Law Term on Monday the 17th of September of that year 2007, he is quoted as saying, I quote:

“Out of the twenty-two thousand ticket cases received in the courts every year (all tickets are sent to the courts for payments), fifty per cent of the fines are paid either before or after a hearing before a magistrate. The other fifty percent remains in the system as unpaid until warrants can be enforced. That represents a loss of immediate revenue in the sum of eight to nine million dollars a year. The collection of fines is an administrative function, not a judicial one. By freeing up the judicial system of this task, judicial time can be better spent on dealing with more pressing criminal matters.”

Exactly what we are doing in these measures.

But yet, yet, Dr. Roodal Moonilal, the Member for Oropouche East, in his usual flippant manner gets in front of cameras and in front of citizens of this country and in criticism of these measures, Madam Speaker, he said that this Bill is geared towards raising money, and you heard it from the Member for Tabaquite—*[Interruption]*

Mr. Singh: Colleague, can you provide citation?

Hon. F. Hinds: Colleague?

Mr. Singh: Yeah.

Hon. F. Hinds: Okay, colleague. Go ahead.

Mr. Singh: Citation.

Hon. F. Hinds: What?

Mr. Singh: The source.

Hon. F. Hinds: Okay. This was a—I am quoting, sorry, from an *Express* article dated March 03, 2017 which referred to the Member of Parliament for Oropouche East, Dr. Roodal Moonilal when he said:

“He said that the continued emphasis on speed guns...”

—which we introduced and which had a major impact on the society and safety. Let me continue:

“He said that the continued emphasis on speed guns and breathalysers while the violent crime siege has turned Trinidad and Tobago into one of the deadliest countries in the world.”

What he is alluding to there, what he is saying is that we are spending time dealing with traffic violations and not dealing with real crime, when, in fact, Mr. Roger Hamel-Smith and all the experts will tell you, in fact, most of the crimes that take place involve the use of motorcars on the road. And proper road traffic management and enforcing the law on the roads go a very, very long way. [*Desk thumping*]

As a matter of fact, an American researcher [*Desk thumping*] by the name of Tom Vanderbilt—Tom Vanderbilt—he, in a work entitled “In Praise of Traffic Tickets, Don’t roll your eyes”—Mr. America—“They’re good for you in more ways than you think”. In the opening paragraph of that article Mr. Vanderbilt says—asks rhetorically:

“What do Timothy McVeigh, Ted Bundy, David “Son of Sam” Berkowitz, and 9/11 ring-leader Mohammed Atta have in common? They’re all murderers, yes, but another curious detail uniting them is that they were all also brought to police attention by ‘routine’ traffic violations.

While living in Florida, for example, Mohammed Atta ran afoul of traffic law on numerous occasions. An arrest warrant was even issued after he skipped a court appearance (related to not having a valid driver’s license during a traffic stop), which raises the haunting possibility that his fatal path might have been interrupted had these transgressions been linked to other legal violations, such as overstaying a visa. (In fact, at least two of the other 9/11 hijackers had been pulled over for speeding,”—as well.

This is it. Research, you know. And when I patrolled with these cops in America in Halifax County, when they do, and I am observing, a stop on a car, they said that is the most sensitive time in the life of a policeman on patrol, when you stop a car and approaching the car you do not know what you are going to meet coming out there at you. It could be a murderer in flight like OJ Simpson at

one time and others. You just do not know, and they approach these cars very, very cautiously. Two or three other cars pull up on the scene and their job is to observe when the traffic cop is interfacing with the car, if practicable, and to watch the occupants of the car to see if they are throwing anything outside or any false move. They have a really wonderful system which we are wanting to see in Trinidad and Tobago, but it will take some training, it will take some resources, it will take some time.

So, Madam Speaker, as I was saying before I went to the reckless proposition by the Member for Oropouche East in the statement that I quoted source from, yeah?—this is not about collecting revenue. All the statistics show that when you improve your road traffic violation checks and management you treat with crime in a major way which is one of the things we say this Bill will deal with comprehensively. Yeah?

So, Madam Speaker, some of the major issues that this is addressing—these measures are addressing—involve the near collapse of the fixed penalty traffic ticketing system as I have demonstrated with statistics a while ago, the overwhelmed magisterial case list, the lack of convenient methods to pay tickets, and when we read the Bill, if the Member for Princes Town had done that, he will see that you now will be given an opportunity to pay your ticket online which is the most modern state-of-the-art way of doing most business transactions today.

In addition to that, as it now stands, if you receive a tickets in a certain magisterial district like St. George West around Port of Spain, so to speak, or in San Fernando, you cannot now pay the ticket anywhere else. So, if you went to Tobago for an Easter weekend, you had too much to drink and you sped and you found yourself with a ticket or a violation that led to a ticket, you would now have to go back to Tobago magisterial district to pay it. This Bill will permit you to pay anywhere across Trinidad and Tobago making it more efficient and your revenue, your contribution to the State easier to collect. Nothing is wrong with that.

The other thing that this Bill addresses, right now small traffic offences are criminal offences, and as I said earlier, we are now going to be decriminalizing them making them violations so that they could be managed outside of the typical criminal justice process. And then as well the lack of a system to track and penalize habitual traffic offenders. There are some people who are repeat offenders, recidivists, so the criminologists call them.

And in this Bill as you would see later once I get the time, there are provisions here with the demerit system. The more you offend the more you lose points until you get to the point where you are altogether disqualified from driving.

As well, lack of innovative methods to suspend permits for non-payment of fines. As you can see in this Bill, Madam Speaker, if you do not pay the ticket, that information will be conveyed to the Licensing Authority electronically, and now the Transport Commissioner will refuse to renew your driver's permit or the transfer of the motor vehicle for which you are now applying until he is satisfied that you would have paid it.

Madam Speaker: Hon. Member, your original 30 minutes of speaking time is now spent. You are entitled to 15 more minutes if you wish to avail yourself of it. Yes?

Hon. F. Hinds: I am gratified, Madam Speaker, I should have it. I should have my 15.

So, Madam Speaker, let me reveal some further statistics which tell us a lot about ourselves as a people, as a society. There is one pilot red-light camera system, the AG alluded to it, right at the Wrightson Road, outside of this Parliament and there are number of violations for this current year. In January there were 3,981 violations. People went through that red light just so, whoosh, 3,981 times; February, 3,400 times; March, 3,900 times; April, 3,900 times; and May, 4,864 times and to date in June, for the month of June to date, current figures, 1,297 times. Two things I will tell you about that, Madam Speaker. That reveals, just that one location reveals a daily violation of about 300 vehicles, you know, Minister, a daily—that is 9,000 a month, you know.

Hon. Member: One fifty.

Hon. F. Hinds: What?

Dr. Rambachan: A hundred and fifty-seven a month.

Hon. F. Hinds: It is the total figure I added up there. About how much?

Madam Speaker: Member.

Hon. F. Hinds: I am sorry. I am sorry. [*Laughter*] My friend is interfering with me. This is a monthly average of—[*Interruption*]

Madam Speaker: You are experienced enough not to be distracted. Please, direct your contribution to the Chair.

Hon. F. Hinds: Can I get injury time then, Madam Speaker? I want five minutes' injury time? That is a monthly average of 9,000. Right? You know what? The system outside the Parliament here started to become overwhelmed in

its collection of the data. So you know what the engineers did since it is a pilot project? They adjusted the speed to capture violations not at 50 kilometres an hour, but they put it higher, and the madness continues anyway. Right?

The Trinidad and Tobago Police Service is telling us so far with the speed guns that they have issued tickets to about 12,000 people for breaking the speed limit. When we introduced the speed guns back in May of 2016 and April of 2016 when I was the Minister of Works and Transport, we saw a reduction in the number of violations outside of this building. There was a change in behaviour, and the others that we have on the highway. We saw a reduction, but it has gone up again because of the lack of enforcement and the overburden of the system as we have been arguing in this and these measures are designed to eliminate that overburden and make prosecution a little bit easier.

So with six speed guns alone and 12,000 prosecutions the police are on the job, but you have 9,000, on average, violations per month at one location right here in the city of Port of Spain on Wrightson Road. That is to tell you a lot about this society and how we conduct our affairs. And while members of the Trinidad and Tobago Police Service, 343 traffic officers, the 7,000 police, we have to find ways for them to come alive. As I say so, Madam Speaker, I know they have the capacity inside of them, and the Minister of National Security is providing them with the resources and the guidance and the leadership, as well as the National Security Council and we are working steadily to bring the police up to the standard that we know they are well capable of in Trinidad and Tobago. [*Desk thumping*]

Clause 34 of this Bill implements or brings into law this red-light camera enforcement element as I have just described it. As you break traffic lights, lives are lost, lives are lost and we got to watch that.

The new automated system will witness the delivery of citation notices, as I said earlier, in the mail to offenders in keeping with that best practice that exists in the developed countries. There is reliability, greater reliability using the photograph and the video—greater reliability. The manual thing—your word against mine—that is minimized when you have these violations because you see it in your face, and once you see it, most people plead guilty and they give up the chase. And the courtrooms will now be fitted with television monitors so that the police will be able to show—the complainants or police officers will be able to show to the magistrates that which he or she was speaking about. So that this thing about “I did not do it and all that and the police victimizing me”, that will be minimized.

In France, very quickly, Madam Speaker, the introduction of these safety cameras resulted in the reduction of road fatalities in the year 2002, from 7,242 to 3,250, clear evidence in France once they put those cameras around the country, clear evidence.

5.30 p.m.

The journal of *Accident Analysis & Prevention* stated that between 2003 and 2010 traffic safety cameras prevented approximately 4,498 fatalities, and over a period of seven years, 15,000 lives were saved, based on data. Yeah? In Australia—the first time I heard the words *road demons* was from a former Australian High Commissioner to Trinidad and Tobago. When he saw me piloting, or implementing the speed guns he called me to attention; we had a conversation. He told me Australia was rampant with road demons, but they put the cameras in, and they put the speed guns in, and they are seeing substantial decreases to as much as 47 per cent.

So when my friend, the Member for Oropouche East, and when the Member for Princes Town get up here and say “Amm, you know”—when he gets up here, Madam Speaker, and says that we only trying to raise revenue, the statistics say that that is not true. It is not about money, [*Desk thumping*] it is about saving lives on the statistics as shown. And, Madam Speaker, it also raises revenue, which is not a bad thing in the current circumstances in which they put Trinidad and Tobago. I told the Member for Tabaquite at the top of my contribution. He spoke about their Government goals and the public might not be unjustified in thinking that their main goal was to empty the Treasury, and some people might even say they succeeded. But that is another story for another time.

So, Madam Speaker, if you look closely at section 85 that spells—as I said very beautifully—out the whole due process in respect of the notice to contest. And, section 88, I found rather attractive as well, because the magistrate could hear now these matters *ex parte*. In the current system you have to get a warrant to come to court if you did not show up, and then you have to be present for the magistrate to deliberate on the issues. Today, he or she could deal with it in an *ex parte* manner. This is not altogether new, it already exists, but it will provide for quick disposal of these particular matters in these great numbers—120,000—and remove and dispel the overburden that the system suffers from. So if my friends really are concerned about the criminal justice system, and if my friends are really concerned about the matters they have done, they will support these measures without batting an eye, Madam Speaker.

And, Madam Speaker, as I proceed to my conclusion with time having run, it is important therefore—integrity. I call on the personnel working in the Licensing Authority, I call on police officers, because I saw a case recently where a police officer was involved in something corrupt to protect a certain driver from his offences, it never ended up on the Versadex system. All manners of things happen, and this is why the Minister of National Security is taking action to ensure that that institution, which is designed to prevent crime and to detect crime, they must be possessed of integrity. They have to be integrity tested on a regular basis, using the most current modern technology, not even the polygraph. There is technology that now exists that is superior to that, that has to be used, because all manners of things can happen in a corrupt police officer.

So, I am saying to the Licensing Office, we need to support this, good, accurate, reliable, trustworthy records. So we have to hunt out those in the licensing office, who will, for a few dollars, corrupt the information. Because, Madam Speaker, you would know as a practising attorney-at-law, and those else, I have come across a certificate of, what do you call it? A certified copy for a vehicle that did not exist in reality, you know, stamped and signed by a transport commissioner. Poor fella, “he must be stamp and sign it” without even knowing. It did not exist. All to go to a credit union to get a loan for a vehicle that did not exist. Right?

So, we need to have proper records, and those who are going to make them improper should be arrested and jailed and fired and otherwise. Madam Speaker, as I wind my way to a conclusion. Having elaborated on some of these matters, I commend my friends to pay close attention to section 88C which allows a driver an opportunity to show cause why his permit should not be revoked, all with an eye on the principles of natural justice, due process, built into this legislation in condemnation, or flying in the face of any call for any constitutionally specified majority.

So, I am so proud when I read this legislation to know that it has come out of the minds and the brains of some of the lawyers in the Ministry of Works. I do not want to call their names, they may not enjoy that, but there are some lawyers in the Ministry of Work and Transport [*Desk thumping*] and some support staff in IT and road traffic management, they know themselves. And along with the likes of—I want to commend them. This is a magnificent piece of work in which we must all be proud, and I would like to commend them for their work over the last two years in support of this effort and the safety and well-being of the people of Trinidad and Tobago.

As well, Sharon Inglefield, her name was mentioned here earlier, a stickler for road safety. The others: Arrive Alive; officer Batson, I will call his name, he is well known, a part-time police officer—a businessman—but he acts in the position of SRP. He has contributed substantially to this work and this effort as well in public safety. And then that firm, Mr. Vincent Pereira who leads, I think it is BHP Billiton. I have had much interface with these citizens, and a few others whose names do not immediately come. You know yourselves. I want to commend them all. I am satisfied that the measures before us have been properly well-thought-out, properly well-articulated, properly well-drafted, and I commend them to my friends on the other side.

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

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Madam Speaker, for this opportunity to contribute to this Bill to amend the Motor Vehicles and Road Traffic Act, 48:50 to introduce a system of traffic violations for certain breaches of the Act, to provide for the implementation of a red-light camera system, a demerit points system and the reform of the fixed penalty system.

Madam Speaker, before I proceed to deal with this Bill, I would like to deal with a few of the advancements and pronouncements made by the Member for Laventille West. [*Desk thumping*] Firstly, the Member for Laventille West said we on this side if we borrow money, we vex. They lay the property tax, we vex. I would like the Member for Laventille West to know that we on this side are here to keep the Government in check and balances, and also so that the law that is passed here does not erode the constitutional rights of the people of Trinidad and Tobago. That is what we are here for. [*Desk thumping*]

The other thing that the Member for Laventille West said is that property tax—he says that he has to thank God that property—that when they lay the property tax he has to thank God. Perhaps he meant the Court of Appeal decision. But that is exactly what we on this side were saying, that if you have to pass this property tax, if you want to lay it, it must be by proper notice, and it is the same thing the Hon. Member for Siparia was saying, it must be properly done. So, we welcome the decision of the Court of Appeal. The other thing the hon. Member for Laventille West said is that he spoke about the Motor Vehicle Authority in Caroni, saying it is called a shed of shame, costing \$275 million. But, I believe, perhaps, he thought it was the Brian Lara stadium which cost \$1.3 billion.

Madam Speaker, the Hon. Attorney General this afternoon spoke about the ease of doing business. This Bill he was laying here this afternoon is for the ease of doing business for the people of Trinidad and Tobago. But, we can only ease the work or ease the way of doing business, if the things in the licensing office are on due process, meaning, Madam Speaker, that if there is a one-stop-shop for things to be

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done in the Licensing Office. Take for example, if a maxi-taxi has to be—you have to change ownership of a maxi-taxi, what happens is that the Transport Commissioner has to do a written approval, and the person who wants to transfer that maxi-taxi has to collect it—take, for example, in Caroni—and take it to Port of Spain. What happens is that only when the file reaches Port of Spain, then he can have that transfer of ownership, and you do not know when that will take place.

So, Madam Speaker, as I proceed, we will see that this Bill, this Motor Vehicles and Road Traffic Bill, what we are seeing is this motor vehicle transportation is the main mode of transport throughout our twin island. What we are seeing is that owners of both private and non-commercial vehicles, and hired vehicles will really feel the brunt of these suggested provisions, if the penalty is not proportional to the violation. [*Desk thumping*] What we have found is during the month September 2013, Trinidad and Tobago started the PDA series, and this transition lifted the total number of registered vehicles to over one million in Trinidad. So, it is really of paramount importance that regulations and legislation that govern this massive sector be compliant really with the evolving societal changes. American economist Gary Becker once said that:

“Fines are preferable to imprisonment and other types of punishment because they are more efficient. With a fine, the punishment to offenders is also revenue to the State.”

Madam Speaker, we all agree really that a fine should be imposed when someone does something wrong. However, we are all concerned about the exorbitant fines contained in this Bill, and perhaps we are asking really, is this Bill really camouflaged as a money Bill? [*Desk thumping*]

Firstly, Madam Speaker, I would like to look at the speed limit, and the fines associated with exceeding this limit. I believe that the existing speed limit should really be increased in this country. What we have done is that we have seen that the current speed limit is 80 kilometres per hour and the fines for exceeding the limit can soar as much as \$3,000. In these harsh times, this fine is simply too much for poor individuals struggling to meet ends. Madam Speaker, during the People’s Partnership regime we built highways throughout the country. [*Desk thumping*] We built highways in Valencia, Diego Martin—

Hon. Member: What! What!

Mrs. V. Gayadeen-Gopeesingh: And what happened is that on the highway 80 kilometres is far too slow. [*Desk thumping*] Madam Speaker, we all appreciate there is a lack of maturity among motorists. We all can appreciate that, and this is seen daily on

the roadways, in many roadways within and outside built-up areas in Trinidad and Tobago. The speed limit for the average vehicle outside built-up areas is 80 kilometres, that is for private motor vehicles, and 65 kilometres for vehicles like buses and maxi-taxis. Examples of outside built-up areas would be like the highways: Churchill Roosevelt Highway, Sir Solomon Hochoy Highway. And the speed limit within a built-up area is 50 kilometres per hour, like for SS Erin Road and Caroni Savannah Main Road.

Madam Speaker, the former Minister of Works and Transport Mr. Fitzgerald Hinds, at a press conference at the Ministry's head office on Friday 29th April said, and I quote:

When we put the legal speed limit up, 80 kilometres, we find that on a daily basis an average of 550 persons exceed that limit at a single location.

Data shows that 55 per cent of fatalities result from speeding. He further indicated that speed guns would be utilized and a fine of \$1,000 would be imposed to those who exceed the limit. Madam Speaker, that pronouncement made by the former Minister sparked public outcry. And one of the major arguments, which is a direct relation between—one has to know whether there is a direct relationship between the speed limit and fatality. And if you were to look at road fatalities, and this is information from Arrive Alive, first we look at the total of road deaths for the first quarter of 2016 which was 40 versus the first quarter of 2017 which was 21. So, we see a difference of 19 deaths less.

So one may at first glance think that, yes, this speed limit is really working. However, if you look closely at the statistics—and we switch our focus to where the accidents actually occur—we will see something very different. Because, what the Trinidad and Tobago Police Service does is that they utilize flyovers along the various highways as a strategic location to enforce the limit. So, when we look at that statistics for road traffic deaths on the highways for the years 2015 and 2016, there has been some considerable change, but Uriah Butler Highway, in 2015 there were 10, and in 2016 there were 12. Churchill Roosevelt Highway in 2015, there were 15, and in 2016 there were 23.

So, Madam Speaker, I use this statistic to emphasize that link between speed limit and road fatality. Because on the highways it is not absolute, and that is the reason why I am saying we should increase it to 100 kilometres per hour. [*Desk thumping*] When we drive at 80 kilometres on the highway we start doing things in the vehicle what we are not supposed to do. For example, we look at electronic billboards—

Mrs. Jennings-Smith: Like having sex. [*Laughter*]

Mrs. V. Gayadeen-Gopeesingh: We try to change the radio stations, we try to speak to someone who is sitting next to us, or even look to the back of us, and what happens, is that we have to keep our eyes on the needle, on 80. So we begin to feel drowsy, we begin to feel sleepy, and in so doing we could bump into the person who is driving in front of us because we are sleepy. [*Desk thumping*] So, that is the reason why we are saying, increase the speed so we would not get drowsy and bounce someone and cause—[*Crosstalk*] [*Laughter*]

Madam Speaker: [*Stands*] Member for Oropouche West.

Mrs. V. Gayadeen-Gopeesingh: Thank you, Madam Speaker. We also had an expert on this same speed limit in Trinidad. There was an interview on CNC3 on the 10th of May, 2016, and there have also been calls by experts to increase the speed limit on the highway.

Traffic engineer Dr. Ray Furlonge, he has been studying the country's traffic problems for decades, and he believes that the implementation of the speed guns was not properly done, and he stated that the matter of road fatalities was due to reckless driving and not necessarily speed. He also recommended—he went on to point out that highways were designed to accommodate speeds up to 110 kilometres per hour. He said that there should be a call for the revision of the speed limit, once you have proper signage and medians are introduced. So, Madam Speaker, the days for when persons are driving Zephyr, and Opel, and 120Y on the highway, Cortina, those days have long gone by. We have vehicles now that have air bags, BMW, we have Audis, and those vehicles are not made to be driven at 80 kilometres per hour on the highway.

Madam Speaker, if we look at the international perspective and we compare the speed limits for different countries, we look at Rhino Car Hire International Car Rental Company, this is a company based in London, and we compare the driving and the speed limits on these highways, you see in Brazil 80 to 100; Canada 70 to 110—these are all kilometres per hour—in Denmark 110 to 130. This is the number one country in the world where people will want to live. Canada is number two in the world where people will want to live. You see it in Japan, 100; United States, 90 to 130; and the United Kingdom, 80 to 113. So, what we are seeing, internationally we see the speed limit is considerably higher than ours here. But as I move on to my other point, I am also quoting the Member for—the Minister of Finance, and he said:

We are actively considering, as the Government, to increase the maximum speed on the Churchill Roosevelt Highway, Beetham and Uriah Butler Highway and Solomon Hochoy Highway to 100 kilometres.

And he also said that:

We are then looking to the other roads and all the quirks and anomalies.

That is the Minister of Finance.

Madam Speaker, I now turn to the failure to comply with traffic lights in this Bill, and I look at the newly introduced legislation and fines associated with failure to comply with traffic light—that is breaking the light—and the introduction of section 66A(1), and I quote:

“A person driving or propelling a vehicle, who fails to comply with the indication given by a traffic light signal is liable to a fine of five thousand dollars for the first traffic violation and a fine of seven thousand dollars for any subsequent traffic violation.”

This section does not apply to an emergency vehicle. The proposed fine is \$5,000 for a first traffic violation and \$7,000 for the second traffic violation.

Madam Speaker, that is equivalent to many of the citizens' salaries in this country, and what we see is that if we were to compare the global fine for running the traffic light we would see that in New York if you were ticketed in a city with a million or more inhabitants, you will pay according to a scale which is \$100 to \$300 for the first offence, and when you convert that you get a minimum of TT \$680 and a maximum of \$2,040. You get for the second offence in 18 months, you pay between US \$200 and \$500, conversion, minimum \$1,360 and a maximum of \$3,400. In Florida, you pay US \$158, which is \$1,074; in the state of Victoria, Australia you pay Australian \$380 which is the conversion of TT \$1,945; and in Jamaica, you pay Jamaican \$12,000 which is TT \$625.

So, Madam Speaker, when we compare these fines it is really simply too much. I will give you an example of where women are being robbed at traffic lights, and sometimes that is the reason why sometimes women might want to break a traffic light, and I am giving you two examples.

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(1), please. This is highly irrelevant. [*Desk thumping*]

Madam Speaker: Member for Oropouche West, I have given you some leeway, I will ask you now to tie what you are saying into the Bill that is before us, please.

Mrs. V. Gayadeen-Gopeesingh: Sure. So, Madam Speaker, I will get into some of the violations, and one of the violations that I think that seems very vague is failure to submit breath analysis or wilful alternation of concentration of alcohol in his

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breath or blood. Madam Speaker, we have demerit points 14, and I am trying to figure out what does this violation really mean, “wilful alternation”. Who is going to wilfully alter the concentration of alcohol in his breath or blood? It is on the Ninth Schedule, there is 14 demerit points and the fixed penalty is zero.

So, I am trying to figure out, is it discretionary for the magistrate to decide how much, what is the penalty? And I am trying to figure out if you are stopped and you fail to submit a breath analysis, you have the machinery and you refuse to do it, the violation is saying that you failed to submit your breath analysis and wilful alternation. How can you alter the concentration of alcohol in your breath? Is it that when you stop, you have to take what, garlic? Is it that you take some soil? I could not understand what is the meaning of this. The other thing, Madam Speaker—

Mr. Hinds: What is the number?

Mrs. V. Gayadeen-Gopeesingh: It is 27. The other thing is taxi driver unsuitably attired, \$750 for a penalty.

Hon. Member: What is the attire?

Mrs. V. Gayadeen-Gopeesingh: And that is what I need to know. How do you dress if you have to be a taxi driver? Do you dress with an armless? Do you dress with a short pants? And what about those taxi drivers who are registered like in the airport, what do they do, dress with a tuxedo if they have to carry tourists? So, this thing, taxi driver unsuitably attired, \$750, this is ridiculous. Madam Speaker, what about taxi drivers who work High Street in San Fernando? Seven hundred and fifty dollars. If they are driving, and it is called round-the-road, you pay about \$5, how many trips this poor man has to make to not only buy clothes, but he has to pay \$750. So, the question is, that is too vague. We need to know what it is that when he is stopped, what it is that the police officer when he stops him, what it is he is looking for. [*Desk thumping*]

Use of the Priority Bus Route by unauthorized vehicle, \$2,000. Madam Speaker, I have a personal experience with this \$2,000. My driver was going on the Priority Bus Route, he had my priority pass, and he was charged \$2,000. And I was trying—[*Interruption*]

6.00 p.m.

Mr. Deyalsingh: Would the Member just give way? With reference to your query on section 25, altering your breath or blood alcohol level, you can actually do that by either hyperventilating or holding your breath before you blow into the

apparatus. So it is quite possible to significantly drop your breath or blood alcohol level by as much as 10 to 15 per cent by either hyperventilating or the other matter. [*Crosstalk*] Your breath.

Hon. Member: Breathalysing. That is breathalysing. They do not test your blood for breathalysing.

Mr. Deyalsingh: “Dey doh test your blood. Yuh breath.” [*Crosstalk*]

Madam Speaker: Order!

Mrs. V. Gayadeen-Gopeesingh: Hon. Minister, I am trying to figure out which driver will know the meaning of hyperventilate? What would they do—[*Crosstalk and desk thumping*] What is that? [*Crosstalk*]

Madam Speaker: I want to remind Members of the provisions of Standing Orders 53. This is a debate. Any Member who wishes hereafter to join the debate, once they catch my eye will be entitled to join the debate and rebut any of the submissions made by the Member. Member for Oropouche West.

Mrs. V. Gayadeen-Gopeesingh: Madam Speaker, I also will like to turn to the amendment here with traffic wardens. And there is an increase in the penalty from \$300 and an imprisonment for six months, to \$10,000 and imprisonment for one year. And this will result for:

“10A (3) Any driver who—

(a) fails to comply with the directions given by a Traffic Warden while on duty;”—and who—

“(b) obstructs a Traffic Warden in the execution of his duty, or aids or incites any...person not to comply with the directions of a Traffic Warden or to obstruct a Traffic Warden in the execution of his duty...”

Madam Speaker, a traffic warden, what are—I do not want to sound condescending, but I need to know really, is it that the traffic wardens are coming on par with the police officers? Do traffic wardens have powers of arrest? And to have this penalty increase, because it is coming on par with the police Act, I need to know really, all these powers that are given to traffic wardens, if it is really—what is really needed at this time to give them those powers. [*Desk thumping and crosstalk*]

Madam Speaker, and I just want to quote—[*Interruption*]

Madam Speaker: Member for Oropouche East, Member for Caroni East and the Member for Arouca/Maloney, while I understand crosstalk is part of the tradition, I will ask you all, please, to comply with Standing Order 53.

Mrs. V. Gayadeen-Gopeesingh: Thank you, Madam Speaker. Madam Speaker, when we look at the Police Service Act, according to the Police Service Act, Chap. 15:01, section 50H:

“A person who resists or obstructs an officer in the exercise of his functions under section 50, 50A, 50B, 50C, 50D or 50E commits an offence under section 59 and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.”

So that is what I am saying, Madam Speaker. The traffic wardens and the police they are apparently coming on par with this legislation. And, Madam Speaker, I just would like to quote what a traffic warden had said on Tuesday, July 29, 2014. She said:

“My salary is \$4,700, which is interim. I have no benefits and I am on contract. The PSA represents this organisation, but we do not have the majority for collective agreements and being on contract, most are fearful of persecution.

I am a traffic warden, even though sometimes I wish”—I—“was not. The police laugh at us with their many benefits and superior pay. When we report our abuse to them, they ignore us.”

That is the reason why, Madam Speaker, I am using that comparison to show why those powers are now wielded by the traffic wardens.

Madam Speaker, this Bill, as I come to a close, is that what we find, is that for things to move—*[Interruption]*

Madam Speaker: Hon. Member for Oropouche West, your original 30 minutes have now expired. You are entitled to an extension of time.

Mrs. V. Gayadeen-Gopeesingh: Just a few minutes to wrap up, Madam Speaker.

Madam Speaker: You may proceed.

Mrs. V. Gayadeen-Gopeesingh:—is that what we should have or ought to have, Madam Speaker, in the Licensing Offices, whether it is Point Fortin, whether it is Chaguanas, whether it is Port of Spain, what we should have really is a one-stop shop where you go and things happen as in unison, that you do not have to do one document in one office. Like for example, in Caroni you have to submit one document there, then they take your file and send it down to Port-of-Spain. So we need to have things that are run smoothly and efficiently. I thank you. *[Desk thumping]*

The Minister of Public Administration and Communications (Hon. Maxie Cuffie): Thank you, Madam Speaker. I wish to first congratulate the Hon. Attorney General, the Member for Laventille West, the present Minister of Works and Transport, the officials of the Ministry of Works and Transport, and even the officials from the Ministry of Public Administration and Communications who all played some role in the bringing of this Bill to the Parliament. [*Desk thumping*]

Madam Speaker, I want to pay special attention to the implications of this Bill for good public administration as the Member for Tabaquite addressed. He spoke about the new building in Frederick Settlement and the impact that has had on the delivery of services by the Licensing Office to the public. And he is right. It has made a tremendous impact on the delivery of public services and that was always the intention of this Government going as far back as 2003 when there was a deliberate effort to improve the working conditions of public officers by putting them into buildings that were more conducive to productivity. And the Government Campus which was recently opened, was built for that same reason. Unfortunately, it was left, five years empty, but we have since corrected that and the same responses that the Member for Tabaquite got in Frederick Settlement, we have been hearing that about the Customs building, the Immigration building and even the AG's Office. So there is a link between putting people in good buildings and facilitating that kind of culture change that the public and all of us would like to see.

I was disappointed to hear him refer to people moving from Chaguanas to Point Fortin to buy their licences. Now, I am from Chaguanas, originally. I got my driver's permit at the Chaguanas Licensing Office when I was 18 and, I can say as a fact, that most of the people who got their permits around that time paid for their licences. And some of them did not even bother to sit the regulation. They paid and got licence and regulation at the same time. Now, that is a long time ago and I would like to believe that it has changed. Now, I have never gone to Point Fortin to get a driver's permit, so I do not know where the Member for Tabaquite would have got that information and casting aspersions on the people of Point Fortin. [*Crosstalk*]

You know, I can give you a story. Now, unlike the Member for Princes Town, I have never been stopped for driving under any condition. And, the Member for Oropouche West, she spoke a lot about the problems that people who break the law will face, never at one point encouraging people to obey the law so that they would not have to pay the fines. [*Desk thumping*] When I was a new driver and also new to driving in Port of Spain, I remember being stopped by a policeman for

breaking a major road, moving from Cipriani Boulevard on to the Queen's Park Savannah. Now I lived in Todds Road Village, Chaguanas, and my driver's permit had my address. So I got the ticket and I proceeded to go to the police station, the place to pay the fine, which was then at the corner of Cipriani Boulevard on Tragarete Road, Port of Spain. And a friend of mine from Chaguanas was the cashier. And he was amazed that I came to pay the fine. People do not pay the fines. You get a ticket in Port of Spain, no policeman is going to drive to Chaguanas, find you in Todds Road Village and give you a summons to appear in court, and that is the problem that this Bill seeks to fix. So that it does not matter where you get the ticket, now you are forced to pay the fine and you will be tracked down.

Now the—I just wanted to address two points raised by the Member for Princes Town who mentioned the issue of—that if you get in an accident and the driver drives off, there is no way for you to track them down. It is clear that he did not read the Bill, because the Bill clearly states that:

“Where an owner pays a...penalty”—this is in 79D:

“(3) Where an owner pays a fixed penalty under this Part, he may recover the sums paid from the person who was driving the motor vehicle at the time the photographic image or video recording referred to in subsection (1) was captured.”

Now that speaks to somebody driving the car different from the owner. But the point is that the Bill assumes that whenever an accident occurs, you can use the technology to get the person involved in the accident and they can be prosecuted and made to pay the fine. And the most important part of this Bill—I want to talk about the implication for public administration—is the fact that you will be using technology, really, for the very first time in dealing with the problems at the Licensing Office and in dealing with a major issue of crime as the AG said earlier. Now if you look at section 79H(3) where it says that the:

“(3) Service of a Citation Notice under this section is deemed to be effected on the owner on the eighth day following the date on which the Notice is delivered, left, affixed, published, or electronically transmitted.”

In subsection (2) it says that you can effect by publishing in a daily newspaper or electronic transmission through email.

So the Bill for the very first time brings ICTs, electronic transmission into the enforcement of the traffic regulation, and in terms of the enforcement of dealing with crime. And the Member for Princes Town spoke about, I think he was

referencing some of the points made by the AG, that these things are pie in the sky, they would not be happening and I think he is unaware of the significant work that this Government is doing, and is doing through ICTs to ensure that we come up to scratch. [*Desk thumping*]

Only today Cabinet approved a request for proposals so that we are going to significantly upgrade the Government backbone to allow the Ministry of Works and Transport which now cannot work on the Government backbone because their ICT needs are too significant for the capacity of the backbone. And it is going to be upgraded so that the Ministry of Works and Transport and all the large Ministries would be able to interact with and use the data storage facilities of the data centres associated with the Government backbone, as a result of the changes that we anticipate will come with the new backbone. And it is part of the preparation that we have been making to deal with the use of ICTs across the public service. So that we are not just putting public servants in new buildings equipped for the modern way of work, but we are also ensuring that we have the ICT infrastructure to support the new cameras, the new systems that would be part of the licensing arrangement. And it is important for us to do that.

In preparing for this, I looked at a number of newspaper reports about the Licensing Office and the transportation system over the last few years. Now, let us look at—what newspaper was this?—I think the *Express*, February 07, 2011:

“Car dealers call for end to ‘outdated’ licensing

Car dealers are disturbed by allegations of illegal relicensing of stolen cars in the country and are calling for the dismantling of the Licensing Division in Trinidad and Tobago.

Automotive Dealers Association president Philip Knaggs said yesterday that new car dealers did not have...”—the right technology.

Another article:

“Car buyer stalled as POS Licensing Office closes early”

It says:

“Auto dealers were upset yesterday following complaints that buyers of new and used vehicles could not collect their cars because the Licensing Office in Port of Spain has temporarily suspended the licensing of vehicles since last week.”

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Another story, January 23, 2015:

“Problem’s at Tobago’s Licensing Office

For motorists in Tobago, getting a vehicle ownership transfer effected, can be a nightmare. We’re told that some people have had to wait for years. It’s probably because there is only one Senior Licensing Officer at an aging Licensing Division at Shaw Park.”

Another story:

“Malfunctioning AC at Licensing fixed

Operations at the Licensing Office on Wrightson Road, Port of Spain should return to normal today following the repair of a non-functioning air condition unit at the government office.

Members of the public were locked out of the Licensing Office most of this week, after the office closed early...”

April the 23rd, 2012:

“Dealers call on Devant to fix licensing office”—he was then the Minister of Transport.

September 28th:

“Cashiers at licensing offices to close early tomorrow”

August 24, 2012:

“Work resumes: ‘licensing’ back in gear”

So, over the years, the newspapers were replete with instances of the Licensing Office being shut down, being corrupt and not being able to work and this Government has moved speedily to establish the office in Frederick Settlement that will treat with the issues. It has also moved speedily to bring this Bill before this House so that we can upgrade the operations of the Licensing Office and that the people of Trinidad and Tobago can get the kind of attention that they require.

I am happy to hear the Member for Tabaquite saying that they intend to support the Bill and, having said that, they are also raising issues all times in support of the lawbreakers who are complaining that the fines may be too high, people cannot pay. But the other point raised by the AG that this is also about changing the culture and it is not the culture of just driving, it is the culture of how we interact with one another. [*Desk thumping*]

If you believe that you can commit a crime, a small crime, drive dangerously, be discourteous on the road, it does not take much for you to graduate to larger crime. It is the broken window theory all over again and we need to ensure that at all times we ensure, we push people to do the right thing. And I was very disappointed to hear the Members who instead of—you can criticize any Bill. You can make improvements but the only complaint I am hearing from the other side is that the fines are too harsh.

Now the taxi driver, whether he is driving in a merino or a tuxedo—

Hon. Member: Merino? I have not heard that in a long time. [*Laughter*]

Hon. M. Cuffie: He could avoid—no, it is my country roots. He could avoid the fine by simply driving within the speed limits and driving with care. [*Desk thumping*] And you know, if you drive along the Priority Bus Route, as we all do as Members of Parliament, there has been a distinct drop in the number of drivers who are driving illegally on the Bus Route since the imposition of fines. I know, I drive north to south quite often and I saw the change in the driving habits of patrons with the introduction of the speed guns. We have seen the decrease in the number of road deaths as a result of the introduction of the breathalyser and of the speed guns. So these things have had an impact and for us to just simply say that we should decrease the fine, I do not think it is a proper response to this Bill. There may be issues that need to be corrected but the number of fines, or the size of the fine, is certainly not one of them.

Madam Speaker, sometimes I feel that the Opposition—I would not say opposing for opposing sake, but I do not get the impression that they understand the serious business that we are about and the serious problem that we are trying to solve. This is not about UNC and PNM. It is not even about having fun. It is about saving Trinidad and Tobago. [*Desk thumping*] I think someone mentioned the cost to the public of the number of road accidents, the cost to the health care system from having to treat with the victims of road accidents, the victims of road rage and these are things that we really need to take on if we are to move this country forward. When we treat with the issue of road accident, we treat with the issue of traffic and we treat with the issue of stolen vehicles, we will be making a significant dent in the issue of crime and there is a significant nexus between the judicial system, the Licensing Office.

The Attorney General made the point which seems to be lost on the Opposition, that by doing this and introducing the demerit point system, we will be removing the number of cases that are currently before the court. I think it is

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the Member for Princes Town who disputed that. In fact, he said he would be seeing more cases before the court as a result of us doing this. Now, I did not see the logic of that point, but I guess we will just have to take him at his word for it.

Now, as we go about modernizing the traffic system and the public service and we are doing so through the Licensing Office, it is not the only arm of Government that we will be treating with. We also need to ensure that we get the right people to work this system and this Bill is just the first part of where we want to go. So we are putting the laws to treat with the ICTs, the use of the emails, the use of the cameras and soon we will have to deal with the recruitment of the people who will man the system and we will be getting a really novel and improved system to deal with road traffic, to deal with licensing vehicles and to deal with our conduct on the roads.

So having said that, I really want to again thank the Attorney General, to thank the staff of the Ministry of Works and Transport and to thank the Opposition for agreeing to come on board with us as we save this country. Thank you. [*Desk thumping*]

ARRANGEMENT OF BUSINESS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, may I suggest that before we—I would like to suggest, before we take the adjournment that we bring greetings on Corpus Christi and to the labour movement for Labour Day. [*Crosstalk*] Yeah, Corpus Christi first.

6.30 p.m.

GREETINGS

Corpus Christi

Madam Speaker: Yes, we will take the Corpus Christi greetings first. Members, as we know, tomorrow the country will be commemorating the feast of Corpus Christi, and this religious feast, although it is exclusively a Catholic feast and it is celebrated in countries that are predominantly Catholic, it is historically binding on our very multi-religious nation of Trinidad and Tobago dating back to the time of the Spanish rule. This most sacred solemnity in the Roman Catholic calendar celebrates the tradition and the belief in the body and blood of Jesus Christ, and his presence in the Holy Eucharist. I now call upon Members to express greetings on the occasion of the feast of Corpus Christi.

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The Minister of Community Development, Culture and Arts (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam Speaker. It is my honour to rise and convey greetings on behalf of the Government to the citizens of Trinidad and Tobago, particularly the Roman Catholic and Anglican communities, on the occasion of Corpus Christi, and the Methodists. In honouring this day as a public holiday, we join with at least 23 countries worldwide to celebrate the institution of the Holy Eucharist. The feast of Corpus Christi speaks to the humility and service of Jesus Christ and his willingness to be a living sacrifice, broken and spilled out for the good of others.

Christians the world over hold the body and blood of Christ to be very significant. Indeed, the life and times of Jesus Christ served to mark the spot between two major eras of the world, commonly referred to as BC, Before Christ and, AD, in the year of our Lord. Corpus Christi, the feast of the body of Christ, first celebrated in the mid-1200s, stands as a constant reminder of the importance of sacrifice for others.

All of us in this honourable House know what sacrifice means as we strive to be of service to our constituents, and every citizen of this country has an opportunity to sacrifice for someone else. Sacrifice is the essence of service. The *Bible* exalts us in Ephesians 5:2 to walk in the way of love, just as Christ loved us and gave himself up for us as a fragrant offering and sacrifice to God. We are to walk in the way of love and, Madam Speaker, if there is one thing this country needs, it is love. [*Desk thumping*] The unfortunate experience of Father Clyde Harvey just this week is testimony to this fact.

So, as we celebrate this national holiday tomorrow, let us exalt its principles as we follow the example of Christ. Let us honour sacrifice, let us seek out opportunities for service, let us promote the good of others before self and devote ourselves willingly as living sacrifices, holy and acceptable to God. I close with the words of the legendary hymn writer, Saint Thomas Aquinas.

“O saving host, O bread of life,
Thou goal of rest from pain and strife,
Embattled are we, poor and weak:
Grant us the strength and help we seek.”

On behalf of the Government of Trinidad and Tobago, to the citizens of this country, do have a holy Corpus Christi. [*Desk thumping*]

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Mr. Rushton Paray (*Mayaro*): Thank you, Madam Speaker. It is indeed an absolute honour to bring greetings to the Roman Catholic, Anglican, and the Methodist community on the observance of Corpus Christi, the body of Christ, tomorrow, Thursday, 15th of June, 2017. This most sacred ceremony celebrates the tradition and belief in the body and blood of Jesus Christ and his real presence in the Holy Eucharist. Allow me briefly to read from the gospel, taken from Luke chapter 9, verses 12-17:

“And when the day began to wear away, then came the twelve, and said unto him, Send the multitude away, that they may go into the towns and country round about, and lodge, and get victuals: for we are here in a desert place.

But he said unto them, Give ye them to eat. And they said, we have no more but five loaves and two fishes; except we should go and buy meat for all this people.

For they were about five thousand men. And he said to his disciples, Make them sit down by fifties in a company.

And they did so, and made them all sit down.

Then he took the five loaves and the two fishes, and looking up to heaven, he blessed them, and break, and gave to the disciples to set before the multitude.

And they did eat, and were all filled: and there was taken up of fragments that remained to them twelve baskets.”

In reading and understanding this gospel, the term solidarity comes to mind. Solidarity entails unity and fellowship. Corpus Christi is the celebration of the solidarity of God with man, a solidarity that never runs out, a solidarity that never ceases to amaze us. God draws near to us in the sacrifice of the cross. He lowers himself, entering into the darkness of death in order to give us his life which overcomes evil, selfishness and death.

In our beautiful twin-island Republic, our pledge speaks clearly of what solidarity should mean. It says:

“I will strive, in everything I do
 To work together with my fellowmen
 Of every creed and race
 For the greater happiness of all
 And the honour and glory of my country.”

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Let Corpus Christi be the day that allows us to reflect on our thoughts and our actions. Let it be a day where we can destroy the seeds of doubt, hatred, inequality and injustice. Let it be a day of learning to be humble and penitent. Most importantly, let this day be the Blessed Sacrament, the Body of Christ, replant the seeds of faith in humanity and God himself.

Madam Speaker, on behalf of the Hon. Leader of the Opposition, Mrs. Kamla Persad-Bissessar, and those of us on the Opposition Benches, we extend our best wishes to the Roman Catholic, the Anglican and the Methodist community and, by extension, the people of Trinidad and Tobago, in this Corpus Christi observance and celebration.

Thank you. [*Desk thumping*]

Madam Speaker: Hon. Members, I also join with you in extending greetings to the Catholic communities and to all citizens of our nation. From the secular perspective, all citizens of Trinidad and Tobago consider Corpus Christi as a day for planting, as our local tradition holds that this day is the most fertile day of the year. It my hope that as we plant grain, saplings and seedlings in the expectation of reaping a bountiful harvest, that simultaneously we use this occasion to sow those attitudinal seeds which will manifest in our nations the fruits of the spirit: peace, charity, goodness, patience, faithfulness, kindness, countenance and self-control. May we all have a blessed and joyous Corpus Christi, and may God bless our nation. [*Desk thumping*]

Labour Day

Madam Speaker: As we also well know, Monday would be Labour Day in Trinidad and Tobago. Labour Day celebrations in Trinidad and Tobago were first declared as a public holiday in the year 1973, celebrated on June 19th. It is the anniversary of the day of the Butler oilfield riots which took place in 1937 to address the unjust conditions employees endured in many sectors of the society. Those conditions consisted of abuse, underpayment for labour, racism, economic depression, and poor living standards for the working class.

As we recognize the conscientious efforts of our labour unions to ensure an improved labour environment today, I now call upon Members to extend Labour Day greetings to our nation.

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, on behalf of the Government of Trinidad and Tobago, I rise to bring greetings to the people of Trinidad and Tobago on the occasion of Labour Day which will be celebrated on Monday, June the 19th. Labour Day is celebrated in recognition of

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the invaluable contribution labour has made to the development of this country. Born out of the struggles of workers who demanded that their working and living conditions must be improved, Labour Day has its genesis in the events of 1937, when workers on the sugar estates joined their comrades in the oilfields and staged massive protest against the injustices that were meted out to them in the living and working conditions.

In our celebrations, we acknowledge and pay tribute to the labour leaders who went before, heroes like Tubal Uriah “Buzz” Butler, Adrian Cola Rienzi and Arthur Andrew Cipriani who fought relentlessly for many of the rights we enjoy today. To the labour leaders of today, and also to the labour leaders of yesterday, most of all to the workers of Trinidad and Tobago who gave their blood, sweat and tears so that our situations can be improved, we say a big and hearty thank you.

May you use June the 19th, to rejuvenate yourselves in your quest to build a Trinidad and Tobago of which we all will be proud. God Bless.

Thank you very much. [*Desk thumping*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker. On behalf of the United National Congress and the Leader of the Opposition, and all my colleagues on this side of the House, I take great pleasure in bringing greetings to the labour movement, the trade union movement and, by extension, the workers of Trinidad and Tobago.

June the 19th is a very significant day in the history of Trinidad and Tobago, taking into consideration its genesis in the labour riots of 1937, which really started on the Esperanza Sugar Estate in 1934 and moved with a series of strikes between 1934 into '37, which culminated with the strikes and, as a result of the strikes, there was widespread discontent in Trinidad and Tobago at that point in time and it resulted in the formation and registration of the All Trinidad Sugar Estates and Factory Workers' Trade Union led by Adrian Cola Rienzi, also known as Krishna Deonarine, at that juncture, and the Oilfields Workers' Trade Union led by Tubal Uriah “Buzz” Butler. And that was the beginning of the modern trade union movement in Trinidad and Tobago. It resulted in the legal recognition of trade unions, the right to strike and the right to engage in collective bargaining.

So, the workers of Trinidad and Tobago in 2017 are indeed indebted to the forefathers and those who were in the vineyards between 1934-1937. And based on the struggles of those pioneers between that period, the right to strike, the right to engage in collective bargaining, and the legal recognition of trade unions

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became the order of the day and, as result of that, workers in this country now enjoy what is called modern benefits as group health plans, pension plans, employee stock ownership plans, bonuses and productivity schemes and so on in this day and age.

And just for the record as we reflect upon the importance of Labour Day, and from a historical point of view, I would like to read into the records because we focus rightly so on Tubal Uriah “Buzz” Butler and Adrian Cola Rienzi, but it is important that those who are looking on and those young people in Trinidad and Tobago, they become au courant with those individuals who would have given their blood, sweat and tears towards the political, social and economic development of Trinidad and Tobago.

As my colleague on the other side, the Member of Parliament for Arima and the Minister of Education, a former trade unionist in his own right who has recognized the importance and significance of Tubal Uriah “Buzz” Butler, Adrian Cola Rienzi, and Captain Arthur Andrew Cipriani, it is important to recognize fallen comrades such as the late George Weekes, Michael Als, Angus Lalsingh, Vernon Glean, Kenrick Rennie, James Manswell, Francis Mungo, Nathaniel Crichlow, Joe Young, Sylvester Ramquar, Clotil Walcott, Shahidan Ramroop, Elma Francois, Bhadase Sagan Maraj, Boysie Moore-Jones, Nuevo Diaz, Allan Campbell, Herbert Andrews, Sylvester Maharaj, Rudall Radhe, Baliram Maharaj, and within recent time Anand Tiwari.

And those who are alive, such as labour greats and Stallworth: Basdeo Panday; Albert Aberdeen; Clive Nunez; Cecil Paul; Errol McLeod; Doodnath Maharaj; Selvon Wilson; Gregory Rousseau; Keriell Jack; Patrick Rabathaly; Wayne Corbie; Robert Giuseppe; Somnath Rambox; Jacqueline Jack; Janice Flemming Scott; Roland Graham; and my good friend, the Member of Parliament for Arima and former President of TTUTA, Mr. Anthony Garcia; [*Desk thumping*] and the Minister of Labour and Small Enterprise Development, Jennifer Baptiste-Primus; [*Desk thumping*] and our very good friend, the Leader of the Minority Opposition in the Tobago House of Assembly, comrade Watson Duke.

More importantly, Madam Speaker, as workers would assemble in their thousands at Charlie King Junction on Monday, and if in any other part of Trinidad and Tobago, it is important for them to do a sense of reflection and introspection to continue the growth, progress and development of the trade union movement in its continued role in the development of Trinidad and Tobago. And more importantly, I was proud to belong to a Government that embraced the labour movement and ensured that there was, what we would call, people-centred

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development, and unprecedented, and unparalleled development as it relates to workers and their issues in Trinidad and Tobago between 2010 and 2015 which saw a creation of 55,000 jobs, controlled inflation, unemployment, the increase in the minimum wage, and also ensured that productivity, and health and safety, and social security benefits were addressed, and addressed in a meaningful and tangible fashion, and the ability of workers to purchase goods and services was maintained based on our commitment to the collective bargaining process, and ensuring and upholding the principle of good industrial relations practices. And I call upon the labour movement today, to ensure that they understand their role and function as we go beyond 2017. I call upon them to display a sense of labour unity, and address the issues that are important in the continued upliftment and development of the workers of this country, by calling for amendments to the Retrenchment and Severance Benefits Act and all supporting pieces of legislation, taking into consideration that 25,000 persons have lost their jobs in Trinidad and Tobago over the last two years.

It is important to uphold health and safety in the workplace. It is important to uphold pension benefits. They are in the interest of addressing the continued inflation and eroding of the ability of workers to purchase goods and services, and at the end of the day, Madam Speaker, stand firm and defend against a Government that seems to be hell-bent on undermining the principles of good industrial relations practices in Trinidad and Tobago.

So, Madam Speaker, we on this side are committed to the continued progress and development of workers in this country. We on this side remain firm in upholding the principles of free and fair collective bargaining, and we remain firm to ensuring that the labour movement continues to survive in Trinidad and Tobago beyond 2017. Long live the labour movement of Trinidad and Tobago.

I thank you. [*Desk thumping*]

Madam Speaker: Hon. Members, I also join with fellow Members in extending Labour Day greetings to the labour movement and to the nation. Every nation owes its success to hard work and dedication of its greatest resource, its citizens. Since the industrial revolution, labour has been the driving force of economic development. Internationally, a day, usually May Day, 1st of May, is set aside to recognize the efforts of labour. We set aside the 19th of June, based on our own historical experience, to celebrate the contributions and achievements of all those responsible for building this great nation.

We should never forget during this occasion that we are an independent nation because our workers and labour unions played a significant role in our liberation struggles. Let us, therefore, not view Labour Day as just another holiday, but let

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us truly reflect on the significance of the occasion and continue to work hard and demonstrate that a genuine work ethic upon which this country is founded and enshrined in the two words of our motto, “discipline” and “production” will, if practised, continue to make Trinidad and Tobago a force to reckon with internationally.

On behalf of my family and on my own behalf, I wish to record my gratitude to all who have played, and continue to play, an integral role in creating an equitable and just society in Trinidad and Tobago. May we, on this Labour Day, recommit to the watchwords of discipline, production and tolerance.

I wish you all a safe Labour Day. [*Desk thumping*]

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you, Madam Speaker. Madam Speaker, before I move the adjournment, I would like to point out that in my discussions with the Whip, there is a matter on the adjournment that was supposed to be debated on two occasions. However, on this the third occasion, the Member for Barataria/San Juan is not here and I would like to suggest, and I think the Whip concurs, that this matter be set aside and it can be brought back again.

Madam Speaker, I now beg to move that this House do now adjourn to Friday, the 23th day of June, 2017 at 1.30 p.m., at which time we will be continuing debate on a Bill entitled an Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.55 p.m.