



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

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**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE BRIGID ANNISSETTE-GEORGE
SPEAKER

THE HONOURABLE ESMOND FORDE
DEPUTY SPEAKER

Friday 23rd June, 2017

CLERK OF THE HOUSE: JACQUI SAMPSON-MEIGUEL

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Leave of Absence

Friday, June 23, 2017

HOUSE OF REPRESENTATIVES

Friday, June 23, 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; Mrs. Glenda Jennings-Smith, MP, Member for Toco/Sangre Grande; Mr. Adrian Leonce, MP, Member for Laventille East/Morvant; Mrs. Vidia Gayadeen-Gopeesingh, MP, Member for Oropouche West; and Mrs. Christine Newallo-Hosein, MP, Member for Cumuto/Manzanilla, have asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

MISCELLANEOUS PROVISIONS (TRIAL BY JUDGE ALONE) BILL, 2017

Bill to amend the Supreme Court of Judicature Act, Chap. 4:01, the Summary Courts Act, Chap. 4:20, Offences Against the Person Act, Chap. 11:08 and the Criminal Procedure Act, Chap. 12:02 and for related matters, brought from the Senate [*The Attorney General*]; read for the first time.

Motion made: That the next stage of this Bill be taken at the next sitting of the House. [*Hon. F. Al-Rawi*]

Question put and agreed to.

PAPERS LAID

1. Audited Financial Statements of the Point Lisas Industrial Port Development Corporation Limited for the financial year ended December 31, 2016. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Audited Financial Statements of EXIMBANK for the financial year ended December 31, 2016. [*Hon. C. Imbert*]

Papers 1 and 2 to be referred to the Public Accounts (Enterprises) Committee.

JOINT SELECT COMMITTEE REPORT

(Presentation)

**Land and Physical Infrastructure
(Allocation and Utilization of State Lands)**

The Minister of Sport and Youth Affairs (Hon. Darryl Smith): Thank you, Madam Speaker. Madam President, I have the honour to present the following report:

Second Report of the Joint Select Committee on Land and Physical Infrastructure for the Second Session (2016/2017) of the Eleventh Parliament on an Inquiry into the Allocation and Utilization of State Lands for Food Production.

URGENT QUESTIONS

**Tropical Storm Bret
(Issuing of Grants)**

Miss Ramona Ramdial (Couva North): Thank you, Madam Speaker. To the Minister of Social Development and Family Services: Could the Minister state whether there is going to be a fast tracking process for the issuing of grants for those families affected by Tropical Storm Bret?

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Madam Speaker. Madam Speaker, there is going to be a process for fast-tracking these applications. On June 20, 2017, the Ministry of Social Development and Family Services established a disaster relief operations centre. The prime purpose of this centre is to ensure that all requests received in respect of grants are dealt with in a speedy and timely manner. In order to ensure that this whole process is well coordinated, it was agreed that first level responders from the regional corporations would receive all requests for support. This request would then be sent to the disaster relief operations centre.

At this point in time, we have officers in the field in all 14 regions, and as soon as that information reaches the centre it is disseminated to these officers who immediately go to these areas to conduct assessments. It must be noted, however, there are some areas that are still under floodwaters, and so the Ministry has not been able to conduct assessments in those areas.

Madam Speaker, I wish to inform the House that the corporations have already provided clearance for the Ministry's intervention in 12 regional corporations and, as such, we have commenced assessments in Diego Martin,

Princes Town, Chaguanas, Point Fortin, Penal/Debe, Tunapuna/Piarco, San Juan/Laventille, San Fernando, Rio Claro and Sangre Grande. We received information in respect of Arima and Siparia yesterday afternoon, so officers are in the field there today and we are currently working with the Couva/Tabaquite disaster management unit with an aim to getting the relevant information from them.

I also want to indicate, Madam Speaker, that whereas this process normally takes about two months, we have put a system in place to ensure that we can fast-track it and complete it in three weeks.

Thank you, Madam Speaker. [*Desk thumping*]

Madam Speaker: Member for Couva North. Supplemental, Member for Couva North.

Miss Ramdial: She answered it.

Dr. Moonilal: Thank you very much. Could the Minister indicate as of this day how many households have so far accessed a grant from the Ministry?

Hon. C. Crichlow-Cockburn: Madam Speaker, as I indicated, the process is going to take us two to three weeks. Thus far, we have received requests from 1,074 households and we are working to process those applications.

Mr. Indarsingh: Thank you, Madam Speaker. To the Minister: In cases of grants related to household appliances and so on, will Ministry officials—because if people would have purchased appliances years and so on—be insisting on, what we call, the payments and so on from the householders—receipts and bills?

Hon. C. Crichlow-Cockburn: Madam Speaker, we recognize that this is an unusual circumstance. In some instances, persons may have lost everything and would not have those documents, so the Ministry is going to try its best where it is necessary to waive that requirement because at the end of day the intention is to ensure that these persons who are affected can return to normalcy as soon as possible.

Natural Watercourses and Major Rivers (Dredging and Cleaning of)

Miss Ramona Ramdial (*Couva North*): Thank you, Madam Speaker. To the Minister of Works and Transport: Could the Minister state when will the natural watercourses and major rivers be dredged and cleaned across Trinidad and Tobago in the aftermath of Tropical Storm Bret?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the Ministry of Works and Transport, through its Drainage Division, has an ongoing programme of cleaning and desilting watercourses throughout Trinidad. Measures undertaken to deal with the effects of the Tropical Storm Bret are: river control gangs are presently deployed across the country cleaning debris and in blocked water courses; clearing blockage in the Tacarigua River where heavy equipment is currently in progress, and I must say that have been completed yesterday; desilting of the Ciperio River from Cross-Crossing to Gulf City Link Road which is in progress; awaiting water levels to drop in the Oropouche Lagoon to assess the work to be done; awaiting water levels to drop in the Caroni basin to assess work to be done; awaiting water levels to drop in the north Oropouche river basin to assess work to be done; and awaiting the water levels to recede in the Caparo water basin to assess the work to be done.

Thank you, Madam Speaker. [*Desk thumping*]

Miss Ramdial: Thank you, Madam Speaker. Minister, are you aware that none of these rivers and natural watercourses were cleaned, or cleared, over the past year?

Dr. Rowley: That is not true.

Miss Ramdial: That is true. [*Crosstalk*]

Madam Speaker: Members? Order! Order! Order!

Sen. The Hon. R. Sinanan: Madam Speaker, I started the answer to the question to say the Ministry of Works and Transport, through its Drainage Division, has an ongoing programme of cleaning and desilting watercourses. Thank you. [*Desk thumping*]

Dr. Moonilal: Is the hon. Member aware that over the past 20 months or so absolutely no drainage work has been done in the Penal/Debe area by the Drainage Division? [*Crosstalk*] You living in the drain; how you know that?

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

Mr. Indarsingh: Madam Speaker, I am forced to ask the Minister of Works and Transport, based on the plans of the Director of Drainage, could he advise this House what rivers have been cleaned as it relates to the Caroni River, the Oropouche and other areas in Trinidad and Tobago?

Sen. The Hon. R. Sinanan: Madam Speaker, I keep repeating there is an ongoing programme. Cleaning watercourses and drains have been going on

throughout Trinidad—east, west, north and south, and central Trinidad—and Tobago, both by the regional corporation through their clean-up campaign, and through the Ministry of Works and Transport through our work programme. There is work going on throughout Trinidad and Tobago and this has started a couple months ago and this will continue. Thank you.

**Tropical Storm Bret
(Housing Repair Grants)**

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much. To the Minister of Housing and Urban Development: Could the Minister indicate what emergency actions have been taken to expedite the provision of housing repair grants to citizens badly affect by Tropical Storm Bret?

The Minister of Housing and Urban Development (Hon. Randall Mitchell): Thank you, Madam Speaker. Madam Speaker, the relevant grant available to the public in these emergency situations is the Emergency Shelter Relief Grant. This grant is given to members of the public, applicants, to conduct emergency repairs to housing units.

Madam Speaker, in the wake of Tropical Storm Bret, the Permanent Secretary, Ministry of Housing and Urban Development, wrote to the Ministry of Finance requesting the urgent release of the balance of its allocation under the emergency shelter relief fund. The unit responsible for processing these applications stands ready to expedite all Emergency Shelter Relief Grant applications as fast as is practical.

Dr. Moonilal: So could the Minister of Housing and Urban Development then confirm that at this time you have no money for these emergency grants?

Hon. R. Mitchell: Madam Speaker, as a responsible Government, the usual process is that supporting documents be attached to the request for the relief of funds, and when that is done, the releases are then given to the Ministry by the Ministry of Finance.

Dr. Moonilal: Thank you very much. Would the Minister agree that a better approach would be to send your Ministry's staff through the regional corporations to assist residents with filling out their forms for these repair grants, rather than asking marooned residents and flooded people to write you a letter and request?

Hon. R. Mitchell: Madam Speaker, I would not agree with that. There must be some sort of accountability in the whole process. In their application, they

must attach supporting evidence to indicate that they have suffered some sort of damage that would require emergency fund grant relief.

**Tropical Storm Bret
(Distribution of Funds)**

Dr. Tim Gopeesingh (*Caroni East*): To the Minister of Finance: Could the Minister state the measures that are being taken to ensure that there is equity, transparency, fair play and probity in the distribution of funds to victims of Tropical Storm Bret?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. Under this administration there will be equity, transparency, fair play and probity in the distribution of funds to all those who are affected by Tropical Storm Bret in accordance with the established procedures.

Dr. Gopeesingh: Would you consider making that information, in terms of the distribution of funds, public in the Parliament subsequent to the distribution of the funds for the relief in the various corporations?

Hon. C. Imbert: I would suggest you pose that as a question on notice.

**Dietary Department (POSGH) Workers
(Measures to Address Issues)**

Dr. Tim Gopeesingh (*Caroni East*): To the Minister of Health: Could the Minister state the measures that are being taken to effectively address the issues affecting workers in the Dietary Department of the Port of Spain General Hospital which led to a protest by the employees on June 22, 2017?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam Speaker, and good afternoon to all. We started taking action as early as last week Monday. Some of the actions taken: request for minor kitchen equipment, delivery effected as of this morning; repairs to the steam generator, parts were ordered last week and are supposed to be delivered today. Once they are delivered today they will be installed. There was an issue with a leaking roof, an external consultant has already been engaged and once everything is okay, we go ahead with repairs to the roof. The long lead items such as blenders, and meat saws and so on were already ordered about a week or two ago—those are long lead items—and the procurement process is currently ongoing and those items should be delivered within another week or two. So we took short-term actions within the past 24 hours, but we had some long lead items which we started dealing with since last week. So repairs to the generator, those parts were ordered

last week; the blenders already ordered since last week. So we are addressing all the concerns of the kitchen staff.

Dr. Gopeesingh: Minister, could you indicate, with all of this information that you are providing to us, what would be the effective closure time to satisfy the members of the Dietary Services Department so that they would not be disgruntled as a result of the things that you are planning to do?

Hon. T. Deyalsingh: Thank you, Madam Speaker, and I thank the Member for the supplemental question. In talks yesterday with the Chief Executive Officer and members of the kitchen staff, they are—as far as I am aware—very happy with the response, they are happy with the short-term actions we have taken. In the provision of minor equipment, they were told about the items that were ordered a week ago and they have agreed to fulfil their duties, and I am confident that we would do so.

Thank you very much.

Rainy Season

(Measures to Mitigate Adverse Effects)

Mr. Ganga Singh (*Chaguanas West*): Thank you, Madam Speaker. To the Minister of Works and Transport: In light of the severe flooding and widespread dislocation caused by Tropical Storm Bret, could the Minister state what measures will be taken by his Ministry to mitigate the adverse effects and impact of flooding in Trinidad and Tobago during the current rainy season?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, the Ministry of Works and Transport started over the past few months embarking on a desilting and cleaning of watercourses. This has been accelerated and any breaches of the river banks will be attended to as necessary. Thank you.

National Commission for Self Help Limited

(Assistance for Storm Victims)

Mr. Barry Padarath (*Princes Town*): Thank you, Madam Speaker. To the hon. Minister of Community Development, Culture and the Arts: Could the Minister inform this House what form of assistance will the National Commission for Self Help Limited be providing to persons whose homes were severely affected by Tropical Storm Bret?

The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam Speaker. The National Commission for Self Help makes available a grant facility called the emergency repair and reconstruction grant to mitigate against circumstances associated with natural disasters such as Tropical Storm Bret. Application forms can be accessed from the north, south and Tobago offices, as well as many MP offices, and the Self Help officers are also out in the affected areas assisting regional corporation officials with assessments and directing affected persons to the availability of the grant.

Mr. Padarath: Thank you, Madam Speaker. To the hon. Minister: In light of what you have indicated with respect to the outreach programme, could you also indicate whether or not this will affect squatters, and what is Government's position on squatters with respect to self-help?

Hon. Dr. N. Gadsby-Dolly: Madam Speaker, as a requirement for receipt of the grant, there is either a deed—you have to have a deed—show land tenure by a deed, or release, or a permission letter, or if you have been someone living on State land for greater than 16 years you produce an affidavit to that respect.

Mr. Padarath: Thank you, Madam Speaker. To the hon. Minister: hon. Minister, can you say whether or not the Government has considered waiving any of these requirements in order to facilitate some of these squatters who may not have these documents in their possession?

Hon. Dr. N. Gadsby-Dolly: Madam Speaker, thus far over 140 persons have been visited by Self Help officials. Approximately 50 applications have come in and we are processing as it goes along, and we will determine, based on the applicants and the need, what is the necessity to consider or examine waiving any requirements.

Madam Speaker: Hon. Members, the time for urgent questions is now spent.

ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, we will be answering all questions for oral answer, and also the one question for written answer. Thank you.

WRITTEN ANSWER TO QUESTION

**Renewable Energy Projects
(Details of)**

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

Given that \$18 million was allocated to the Ministry for the use and development of projects in renewable energy in fiscal 2017, could the Minister state:

- (a) details on the money expended to date; and
- (b) the projects undertaken in the past year to facilitate renewable energy?

Vide end of sitting for written answer.

ORAL ANSWERS TO QUESTIONS

**Public Service Contract Officers
(Payment of Gratuity)**

135. Mr. David Lee (*Pointe-a-Pierre*) on behalf of the Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Public Administration and Communications:

With respect to the Ministry's Media Release dated April 23, 2017 entitled "Measures to deal with public service pension payments," could the hon. Minister state whether similar measures will be implemented for the payment of gratuity for contract officers in the public service?

The Minister of Public Administration and Communications (Hon. Maxie Cuffie): Thank you, Madam Speaker. There are sufficient existing systems to address payment of gratuity for contract officers in the public service. The Human Resource and Finance Divisions at the various Ministries and Departments, as well as the Treasury Division, manage the process. Officers are guided by circular memoranda from central agencies, such as the Personnel Department, and use prescribed forms as stipulated by the Ministry of Finance for computation of the gratuity payment to be effected by the Comptroller of Accounts, Ministry of Finance.

Additionally, end dates for contracts are monitored and the necessary steps are initiated when due. Given that the system is sufficient, it is not necessary

for any similar measures to be implemented for the payment of gratuity for contract officers as was implemented for public service pension payments. Thank you.

**Caribbean Airlines
(Government Subsidy)**

152. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Finance:

Could the Minister state whether Caribbean Airlines is still subsidized by the Government and, if yes, provide the steps being taken to make the company self-sufficient?

The Minister of Finance (Hon. Com Imbert): Thank you, Madam Speaker. Response to question No. 152: The Government currently provides a subsidy to Caribbean Airlines Limited for passengers on the Tobago air bridge. The amount paid is based on a fair differential of TT \$50 for every adult revenue passenger over the age of 12 years who travels on the air bridge. The amount budgeted for fiscal 2017 is \$41,650,250. However, for the years 2011 to 2017, the Government provided the following financial assistance to Caribbean Airlines: for fiscal 2011, the Government provided subsidy of \$136,947,073 and transfers of \$106,624,985. A total for fiscal 2011—when the last Government was in place—of \$243,572,058. For fiscal 2012—again, under the last administration—the Government provided loan guarantees in the total of \$412,600,000 and subsidies of the tune of \$726,548,840. Total subsidy to Caribbean Airlines in fiscal 2012 of \$1,139,148,840. Fiscal 2013—again under the last administration—the Government provided loan guarantees of \$413,100,000, subsidies of \$477,707,332. Total subsidy to Caribbean Airlines in that year, fiscal 2013, \$860,807,332. In fiscal 2014, subsidies amounted to \$140,439,356, and transfers amounted to \$859,635,274. Total subsidy to Caribbean Airlines in that year, fiscal 2014—under the last administration \$1,074,000,630. Again in fiscal 2015, the total subsidy \$655,322,901; in 2016, total subsidy \$453,047,800; 2016—under this administration—total subsidy \$28,928,646. A reduction of several billion dollars. So the total over the period, Madam Speaker, under the last administration was in excess of \$3 billion.

Mr. Young: Plus the billion they found in—[*Interruption*]

Hon. C. Imbert: Yes. In addition they burnt up a billion dollars in cash. The following steps are being undertaken at this time, under this Government, to make CAL self-sufficient: implementing effective and meaningful cost management strategies; ensuring revenue enhancement strategies that would

result in a break-even position; developing a strong brand for Caribbean Airlines; building the necessary corporate culture which was destroyed under the last Government; and updating of a network plan to increase utilization of aircraft.

Thank you, Madam Speaker. [*Desk thumping*]

Mr. Karim: Thank you, Madam Speaker. Will the hon. Minister state whether—[*Interruption*]

Madam Speaker: Order! Order!

Mr. Karim: Can the Minister state whether the only route subsidized is the Trinidad to Tobago route, or are there any other routes subsidized either directly from central Government or through the Tobago House of Assembly?

Hon. C. Imbert: I can easily answer that, Madam Speaker. Let us take fiscal 2012 as an example. Total subsidy \$1.1 billion. Clearly, at least \$1 billion of that was on the other routes that Caribbean Airlines flies. That is just one year.

Trinidad and Tobago Borders (Safeguard from Immigrant Influx)

153. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of National Security:

Based on social unrest plaguing Venezuela coupled with media reports of Venezuelan nationals attempting to seek refuge in Trinidad and Tobago, could the Minister state the measures in place to safeguard our borders from an influx of immigrants?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam Speaker. Madam Speaker, it should be noted the Republic of Trinidad and Tobago is a signatory to the 1951 United Nations Convention Relating to the Status of Refugees and accompanying 1967 Protocol. These international agreements confer obligation on this country with respect to how it treats with persons who seek asylum here and such obligations continue to be fulfilled.

In addition to the foregoing, Madam Speaker, Trinidad and Tobago has also instituted a number of measures aimed at strengthening its border management and control capacity so as to safeguard the country against the entry of illegal items and persons. The key agencies under the Ministry of National Security are the Immigration Division and the Trinidad and Tobago Defence Force. Immigration Division continues to promote national security by effectively

monitoring and controlling the movements of persons into, within, and out of the country. To this end, the Division pursues a border policy that focuses on the entry into and exit from Trinidad and Tobago of all travellers who meet entry requirements, as well as identification and management of the risk to Trinidad and Tobago arising from those travellers who do not meet entry requirements.

The Trinidad and Tobago Defence Force and, in particular, the Trinidad and Tobago Coast Guard, also plays a significant role in safeguarding our borders against illegal immigrants. Some of the major strategic initiatives in this regard, Madam Speaker, is with respect to strengthening our maritime security capabilities. To this end, the Trinidad and Tobago Coast Guard continues to patrol our maritime waters throughout our Tier 1, Tier 2 and Tier 3 maritime zones.

Madam Speaker, additionally within recent times the Trinidad and Tobago Coast Guard had engaged in a specific training with the British Royal Navy, a two-week training that dealt with issues of seamanship, manpower organization, planning and command considerations.

To that effect, it has strengthened the Trinidad and Tobago Coast Guard's ability to safeguard our territorial waters and maintain maritime security. Additionally, the utilization of the national coastal surveillance radar system has also provided the Trinidad and Tobago Coast Guard, in particular, in a capacity to continuously monitor Trinidad and Tobago's territorial waters, as well as the ability to identify vessels of interest for interceptions.

2.00 p.m.

Madam Speaker, a strong focus has also been placed on partnering with Venezuela. As you know, Madam Speaker, this Government has re-established the bilateral cooperation with Venezuela in the area of security among others. It is including the establishment of person-to-person contact between the Commanding Officer of the Trinidad and Tobago Coast Guard and the Commander of the Guardia Costera and the Guardia Nacional, to ensure a comprehensive and a collaborative approach to the situation. In particular, initiatives include aggressive sourcing of and increased efforts to share intelligence relevant to the unfolding situation.

Other initiatives include a memorandum of intent between Trinidad and Tobago and the United States which was signed in April 2017 to provide for the establishment of a Personal Identification Secure Comparison and Evaluation

System referred to as PISCES. This state-of-the-art border control system documents the arrival and departure of international travellers at airports and seaports in Trinidad and Tobago. Consequently, it will increase the ability of the Immigration Division to verify a traveller's identity against both domestic and international databases on watch lists and also allow officials to identify individuals who might pose a threat to the Republic of Trinidad and Tobago's security.

Ongoing Trinidad and Tobago Defence Force joint operations along the south coast from Guayaguayare to Cedros, maritime patrols by the Trinidad and Tobago Coast Guard, mobile patrols by the Trinidad and Tobago Regiment, aerial surveillance by the Trinidad and Tobago Air Guard, and additional support by Trinidad and Tobago Defence Force Reserve, continue to play a part insofar as border management is concerned. Madam Speaker, we also include the Trinidad and Tobago Police Service in terms of land-based patrol coordinated together with the Trinidad and Tobago Regiment. So therefore, it is a joint effort to deal with issues pertaining to the border of Trinidad and Tobago.

Madam Speaker: Member for Naparima, supplemental.

Mr. Charles: Thank you, Madam Speaker. Could the Minister tell us the number of Venezuelans who are illegally in Trinidad and Tobago? Are they being monitored actively and how many have been repatriated in the last six months?

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

Dr. Gopeesingh: The question was asked by my colleague.

Bilateral Commercial Agreements (Update of)

154. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Trade and Industry:

Could the Minister provide an update (inclusive of whether the agreement is still active or was a one-off purchase) on the Bilateral Commercial Agreements between Trinidad and Tobago's local manufacturers and the Corporación Venezolana de Comercio Exterior (CORPOVEX) which led to Venezuela purchasing over US \$50 million in goods?

The Minister of Trade and Industry (Sen. The Hon. Paula Gopee-Scoon): Thank you, Madam Speaker. The bilateral commercial arrangement between Trinidad and Tobago's manufacturers and CORPOVEX, which is Venezuela's purchasing agency, is still an active mechanism for trade between both countries. To date, contracts valued at approximately US \$20 million of manufactured goods consisting mainly of food items: white rice, tomato ketchup, chicken, mayonnaise, powdered milk, margarine, flour, pasta, laundry and personal hygiene products, laundry detergent, bath soap and toilet tissue paper were signed.

The contracts signed under the first three-month period were valued at US \$12.3 million and contracts signed in the second three-month period were valued at US \$7.7 million. A total order of goods under the second three-month framework contracts has not yet been fulfilled. The TTMA has estimated that actual trade which took place under the second three-month framework contract to date stands at US \$2.26 million. The Ministry of Trade and Industry has been collaborating with the private sector given the importance of the Venezuelan market for the expansion of domestic exports. Notwithstanding the above, Venezuela has signalled an interest in expanding the list of products to be traded under the agreement. Thank you. [*Desk thumping*]

Mr. Lee: Thank you, Madam Speaker. Supplemental to the Minister: Is the Minister aware that a lot of the manufacturers that have done business with Venezuela are still awaiting payment?

Sen. The Hon. P. Gopee-Scoon: Thank you. That is not so. All of those who were paid under the first three-month arrangements, all of those contractual arrangements had been settled. Under the second month, there are residual payments. As you would know, down payments are made in a percentage amount so it is not at all a question of all payments outstanding or anything like that or a substantial amount. In other words, to begin the contractual arrangements, substantial down payments of more than 50 per cent are made. This is under the second tier and then a further amount. So it is residual amounts that are outstanding.

This relationship is very important to Trinidad and Tobago and the TTMA is working along with the Ministry to ensure that all of the bureaucracies are ironed out and payments are up to date. This market is very important to this country.

**Initiatives to Strengthen Police Presence
(Shopping Malls and Hospitals)**

161. Mr. David Lee (*Pointe-a-Pierre*) on behalf of Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of National Security:

In light of revelations by the Trinidad and Tobago Police Service (TTPS) that the car parks of shopping malls and hospitals are the main hunting grounds for car thieves, will the Minister be embarking on any initiatives to strengthen the TTPS presence at shopping malls and hospitals?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam Speaker. According to the information provided by the Trinidad and Tobago Police Service, no statement was made by that organization identifying car parks at shopping malls and hospitals as the main hunting ground for car thieves. Rather, the Trinidad and Tobago Police Service cited large car parks, such as those in the shopping malls and hospitals, as examples of areas that are targeted for vehicle theft.

Based on information provided by the Trinidad and Tobago Police Service, of the 1,160 vehicles reported stolen during the period January 01, 2016 to April 30, 2017, 91 or 8 per cent was stolen from car parks while 125 or 11 per cent of such reported thefts occurred at residential properties.

The Trinidad and Tobago Police Service recognizes that vehicle theft, like other serious crimes, must be monitored to determine the frequency of incidents and to detect trends that may be used in designing strategies to address the problem. Some of the initiatives being undertaken by the Trinidad and Tobago Police Service in regard to these include:

- Partnership and collaboration with stakeholders. The Trinidad and Tobago Police Service has held meetings with the management of hospitals and security services of shopping malls in an effort to minimize the risk of car theft. At these meetings, special emphasis is placed on improving the security of parking areas by target-hardening through specific actions such as improved lighting, camera coverage, general security, sharing safety tips for persons parking and strengthening of the security at entrance and exit points.
- The Trinidad and Tobago Police Service has also increased the number of police patrols conducted in and around these areas.

- They have also included sensitization and education. These initiatives which are publicized through various forms of media including The Trinidad and Tobago Police Service media briefings, social media and website. The website: www.ttps.gov.tt. It raises awareness among the public by providing information on how best to minimize the risk of stolen vehicles.
- The Trinidad and Tobago Police Service also provide safety tips. Vehicle safety tips are available to the public on the TTPS website and several other forums such as community meetings.

The Trinidad and Tobago Police Service is optimistic that these initiatives will bear fruit and will continue to work with the relevant stakeholders and to monitor the situation and take steps as necessary to minimize the incidents of vehicle theft.

**Brian Lara Cricket Academy Opening Ceremony
(Details of)**

162. Mr. David Lee (*Pointe-a-Pierre*) on behalf of Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Sport and Youth Affairs:

With respect to the opening ceremony for the Brian Lara Cricket Academy, could the Minister provide:

- (a) the total cost;
- (b) the total profit generated; and
- (c) the rental cost of the facilities for private entities?

The Minister of Sport and Youth Affairs (Hon. Darryl Smith): Thank you, Madam Speaker. With regard to question 162, the information provided by the Sports Company of Trinidad and Tobago, the total cost of the launch of the Brian Lara Cricket Academy was \$2,416,103. That was broken up among three organizations: the Ministry of Sport which spent \$1.9 million, the Sports Company which spent \$299,643 and UDeCOTT, \$119,000.

Part (b) of the question, the total profit generated is \$724,700.

Hon. Member: Well done! [*Desk thumping*]

Hon. D. Smith: That was broken up between ticket sales, sponsorship and the rental of the Party Stand. And to answer part (c), the rental cost of the facilities for private entities is being determined by the Ministry of Sport and

Youth Affairs and would be subsequently sent to the Cabinet for final approval.
[Desk thumping]

Mr. Padarath: Thank you, Madam Speaker. To the hon. Minister: In light of the figure that you gave, could you indicate whether or not that includes players' fees from regional and international players together with their accommodation and whatever other expenses would have been incurred?

Hon. D. Smith: Yes, it is inclusive of those fees. I could give a breakdown. It is a lot of information but appearance fees, air fare, accommodation and broadcast, \$964,000; cricket event logistics, \$281,000; marketing, \$495,000; advertising, \$19,000; and grounds man, \$13,000.

Comments re: Tourism as a Major Forex Generator

(Details of)

163. Mr. David Lee (*Pointe-a-Pierre*) on behalf of Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Tourism:

In light of the Minister's comments that the Government will be focusing on tourism as a major forex generator, could the Minister indicate:

- (a) the status of the Sandals Tobago project; and
- (b) the projects that are scheduled for completion in fiscal 2017?

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. On behalf of the Minister of Tourism, the tourism industry has the potential to significantly contribute to the national economy once its potential is maximized. In 2016, the revenue generated by visitor arrivals to Trinidad and Tobago was estimated at \$2.232 billion based on the data collected from the tourism baseline survey in Trinidad. Foreign exchange was generated in the major categories of accommodation, entertainment, tours and sight-seeing and culinary.

In fiscal 2017, the Ministry continued efforts to develop and promote the tourism sector with a view to increasing the foreign revenue earnings through visitor expenditure. For fiscal 2017, the Government undertook a review of the institutional arrangement with respect to marketing and product development. The Ministry of Tourism also implemented projects under its marketing subvention and its development programme. A status of these projects is as follows:

- The development and launch of the Go Trinbago App and LIME 365. This is the creation of a mobile app which allows for creating the visitor's

personalized vacation and experience. It includes a calendar of events highlighting festivities and events that occur every day of the year. The app has been completed and is available for download in the Android and the iOS App Store.

- The tourism baseline survey, the status of that is that there has been the collection and analysis of data relating to visitor expenditure, employment in primary tourism business, levels of skills and training, and the data will allow for policy and programme development which is based on market intelligence. As of today, Madam Speaker, the data collection in Trinidad has been completed. Over 35,000 international visitors were sampled with respect to the visitor expenditure component and 208 primary tourism businesses were interviewed with respect to the employment levels, skills and training. The Trinidad report will be completed in July 2017.

Madam Speaker, the establishment of the Trinidad and Tobago regulatory and licensing authority. The procurement of a consultant to provide services has been started and it is under way.

With regard to the Maracas Beach Community Tourism Initiative, the installation of ticketing booths and barriers, CCTV, paving of the car park and implementation of paid parking, the scope of works has been completed and activities are all to be completed by the end of fiscal 2017.

With regard to Las Cuevas Beach Enhancement Project, the activity to be completed is the infrastructural work on the car park, the scope of works has been completed, and these activities are expected to be completed by the end of fiscal 2017.

Regarding the Manzanilla Beach Facade Improvement Project, the scope of works has been completed and the activities are all to be completed by the end of fiscal 2017, and these are the installation of the new perimeter fencing, LED security lighting, the implementation of paid parking infrastructure, the upgrade of the guard booth and other minor activities.

With regard to the Vessigny Beach Facility Upgrade Project, the scope of works has been completed and all activities will be completed in fiscal 2017; and these are: the addition of a family washroom, the construction of gazebos and the implementation of paid parking.

The project listed as Upgrade of Sites and Attractions, the upgrade and sites and attractions identified in collaboration with cities, boroughs and regional

corporations is in the process of being determined and will be completed over the period 2017 to 2019. The Domestic Tourism Campaign—

Madam Speaker: Hon. Member, your time is spent.

Mr. Lee: Thank you, Madam Speaker. I apologize. Can I ask the Minister if she had answered part (a) of that question in her response?

Hon. Member: “She run out ah time.” [*Crosstalk*]

Madam Speaker: Order. Order.

Hon. C. Robinson-Regis: Madam Speaker, I answered part (b) of the question because that is the one with more information to give and consequently there was a need to get into that answer before going to (a). With regard to (a), we are still in the process of negotiations.

Madam Speaker: Oropouche East, supplemental question?

Dr. Moonilal: No, Ma’am, they are still in the process of negotiations.

**School Improvement Project – Laventille Community
(Amount Spent to Date for Fiscal 2017)**

164. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of Education:

Could the Minister provide the total amount spent to date for fiscal 2017 on the School Improvement Project – Laventille Community?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam Speaker. The total amount paid to date on the School Improvement Project for the Laventille community is \$1,223,574.94. Thank you.

Mr. Karim: Could the Minister indicate which contractor was paid and the amount and which ones are outstanding and the amounts?

Hon. A. Garcia: Madam Speaker, so far only one contractor has been paid and he has been paid the sum of \$510,000. There is payment for three other contractors.

Mr. Karim: Can the Minister indicate the names of those contractors please?

Hon. A. Garcia: Madam Speaker, I do not have those names at my disposal but I can make them available to the Member.

**University of Trinidad and Tobago
(Reduction of Staff and Campuses)**

165. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of Education:

Could the Minister state whether there are current plans to reduce the staff and campuses of the University of Trinidad and Tobago for the academic years 2018—2020?

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, the University of Trinidad and Tobago has advised that while it is exploring options to achieve efficiencies in its operation and to rebalance its operating costs with revenues by 2019/2020, at this time there are no concrete plans to reduce the university's staff and campuses for the academic years 2018—2020. Thank you.

**University of Trinidad and Tobago, Tamana Campus
(Details of)**

166. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of Education:

Could the Minister state how much has been expended on the University of Trinidad and Tobago, Tamana Campus, from its inception to date, inclusive of costs for construction?

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, funds expended on the University of Trinidad and Tobago, Tamana Campus, from the start of this project in 2008 to May 2017, total \$1,581,783,999.02. These funds were utilized to facilitate payments for works completed, services rendered and the goods procured for the project as follows:

1. Infrastructural works for the campus, inclusive of works, drainage, fencing, utilities and other external works;
2. Building construction inclusive of foundation and steel structure, other sub-contract works and the central plant/buildings;
3. Furniture; and
4. Consultancy services.

The project was 82 per cent complete as of May 31, 2017. Thank you.

Mr. Karim: Hon. Minister, can you indicate by when you expect the facility to be available, open to staff and to students?

Hon. A. Garcia: Madam Speaker, again, I cannot give a definite date for the completion of this project but we are hoping that by 2018, the end of 2018, we might have some final determination where this is concerned. Thank you.

**Stollmeyer's Castle Restoration Work
(Purpose for Use upon Completion)**

169. Mr. Barry Padarath (*Princes Town*) asked the hon. Prime Minister:

With respect to the ongoing restoration works at Stollmeyer's Castle, could the Prime Minister state for what purpose will this building be used upon completion?

Dr. Moonilal: "He caddie."

The Minister in the Ministry of the Attorney General and Legal Affairs and the Minister in the Office of the Prime Minister (Hon. Stuart Young): "He what?" Madam Speaker. As soon as the Cabinet of Trinidad and Tobago decides what will be the final use for Stollmeyer's Castle, it will be announced to the population. However, it should be noted that as soon as this administration came in place, one of the first sub-Cabinet committees, under the chairmanship of the Prime Minister, was the restoration of historical buildings of which Stollmeyer's Castle is but one, and the population would have noted that under the former administration, they left a series of buildings to decay and did nothing about them, including Stollmeyer's Castle, and they did Whitehall, President's House, Mille Fleurs and others. So this administration considers it very important to preserve the historical history of these houses. [*Crosstalk*] Well, if you all had left money, we would be able to.

Mr. Padarath: Madam Speaker, to the hon. Minister. Hon. Minister, you must admit that considerable amount of work was done on Stollmeyer's Castle, started by the People's Partnership administration. But the question is, in light of what you have indicated, could you say if one of those considerations for the use of Stollmeyer's Castle is for the Prime Minister's office?

Madam Speaker: I would not allow that question. A response was given already. Member for Oropouche East.

Dr. Moonilal: Yes, thank you very much. To the hon. Minister answering here: Are you aware that extensive work has already started on Stollmeyer's Castle and Whitehall and await completion?

Hon. Member: And Whitehall?

Madam Speaker: I will allow it in terms of Stollmeyer's Castle.

Hon. S. Young: Thank you very much, Madam Speaker. As I said, when we came in, the work had been stretched out and we have brought it almost to completion. We expect it to be completed shortly. [*Crosstalk*] But what I will tell the population is, under them, there was an inflation of price, an inflation of cost and Whitehall, nothing was done. [*Crosstalk*] They may have paid money and mobilization fees—

Madam Speaker: Order. Order.

Hon. S. Young:—but nothing was done.

Mr. Imbert: Nothing.

Madam Speaker: Order. Member for Chaguanas West, supplemental.

Mr. Padarath: Rowley's Castle.

Mr. Singh: Hon. Minister, having viewed the work at the Stollmeyer's Castle, are you satisfied with the quality of work done?

Mr. Imbert: No, we had to do it over.

Hon. S. Young: Madam, the answer is no and the Government was not satisfied nor were the consultants satisfied. In fact, right now, we had a meeting last week where there is a great level of dissatisfaction with the current work done and we have asked them to redo it and there is going to be an investigation into the expenditure of moneys that there was no value given for.

Mr. Charles: “Doh wait 10 years, eh.”

Hon. S. Young: “Doh worry with the 10 years; that is the prison sentence.”

DEFINITE URGENT MATTER

Tropical Storm Bret (Failure to Provide Adequate Resources)

Mrs. Kamla Persad-Bissessar SC (Siparia): Thank you very much, Madam Speaker, for giving me the opportunity to seek leave to raise a matter of definite urgent public importance. Madam, I sent this in, as required time, at about minutes to 12—90 minutes ago—more than 90 minutes ago and since then, this matter has become more urgent. I have just received a notice from the Ministry of Works. They have closed off one lane of the south-bound highway and so on. So this matter is definite; and it is namely the failure of Government to provide

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adequate resources and relief in a timely, effective and efficient manner to alleviate hardship, suffering, anguish and distress of the population in the aftermath of Tropical Storm Bret.

The matter is definite because it pertains specifically to the failure of Government to address flooding, destruction, devastation and damage that was inflicted on the population by Tropical Storm Bret. Many areas have suffered effects of this storm. I see the matter as urgent because the suffering and hardship that has been visited upon the citizens of our country by Bret is increasing with each passing day. People are unable to provide food for their families. Homes in entire areas have been destroyed. There is an urgent need to provide water. Families need urgent help to clean up their homes and drain it of contaminated water, debris and silt. Men, women and children, who live in these areas which were flooded, are at risk of contracting diseases.

The matter is of public importance because there are tens of thousands of families who are currently suffering as a result of the destruction and flooding that has resulted from Tropical Storm Bret. The storm has transformed the affected parts of our country into virtual disaster zones and the suffering that has been inflicted is immeasurable and is continuing, Madam Speaker.

I thank you and I so move. [*Desk thumping*]

Madam Speaker: Hon. Members, I have considered the Motion of the Leader of the Opposition and I am satisfied that this matter qualifies to be raised as a definite matter of urgent public importance. This matter also requires the leave of the House. Is the House prepared to grant leave?

Assent indicated.

Madam Speaker: Hon. Members, leave having been granted in accordance with Standing Order 17(4), the debate on this Motion will stand over until 6.00 p.m.

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

[Second Day]

Order read for resuming adjourned debate on question [June 14, 2017]:

That the Bill be now read a second time.

Question again proposed.

Madam Speaker: The Members who have already contributed to this Bill: hon. Faris Al-Rawi, MP, the Mover of the Bill; Dr. Surujrattan Rambachan, MP, Member for Tabaquite; Mr. Barry Padarath, MP, Member for Princes Town; hon. Fitzgerald Hinds, MP, Member for Laventille West; Mrs. Vidya Gayadeen-Gopeesingh, MP, Member for Oropouche West; hon. Maxie Cuffie, MP, Member for La Horquetta/Talparo. Member for Oropouche East.

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker, for the opportunity to contribute on this matter before us: 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, I have had the opportunity to review the contributions made by all colleagues on the last occasion and to indicate that this matter before us is a very critical matter indeed, but we meet today on a Friday in the context of enormous and excessive rainfall. The international cricket has come to a halt at the Oval. We are told that one lane on the highway is in operation at this time. We do not know how and when we will get home today and ongoing, murder, rain, flood and this measure is another—[*Interruption*]

Madam Speaker: Member, I have allowed you some leeway.

Dr. R. Moonilal: Sure, thank you, Ma'am. Before they get to 48(1), if it is that—[*Interruption*] Now, I speak about the flood of fines and penalties that the Government will now introduce. [*Desk thumping*] I think I could speak of that.

Now, I want to begin by quoting, not the first speaker on this Bill but I think the third or fourth, the Member for Laventille West, short-lived the Minister of Works and Transport, spoke on this matter and I could not help but notice the description of this Bill.

2.30 p.m.

The Member said it was the most elaborate and magnificent piece of legal infrastructure, absolutely well laid out. He commended the philosophy principle, and so on. And then, of course, he added that he was responsible for the policy when he spent some time at that Ministry. After doing such a good job, he was removed by the Prime Minister and he praised his Ministry and himself that he was partly responsible for this and made some other points, which I will reflect on as we proceed.

Madam Speaker, far from that I will argue that this matter is not a simple matter. It is not presented with any elegance. It is not presented in any clearly comprehensible manner, by virtue of it being a Bill that seeks to repeal one law but work in the context of another law. So what we have here is repealing of one Act of Parliament, which dealt with administration and enforcement, and working it into a parent body, 48:50, and spelling out fines, spelling out a new demerit system, dealing with red-light traffic offences, and so on. By definition, it cannot be a cohesive, comprehensive piece of legislation. [*Desk thumping*] It is something that when you sit to read, you must read carefully, in collaboration with the parent, in collaboration with the Act you are going to repeal. You must read in the context of the legality, of the policy, of the social consequences of this, and of an overall philosophy of what you are doing.

The Attorney General has now brought us yet another cliché which he introduces now, on every occasion that he has the opportunity, to speak about law and culture, and this belief that in the 20 short months they have been there, for many 20 long months, that they have been able to use law to change culture. And these pieces of legislation like this, they try to position, that this is using law to change culture. Law cannot change culture, and it is wrong to begin with that premise. Enforcement of law can change culture. [*Desk thumping*] In this country, there is a law. It is unlawful to kill someone. That is the law. “How much murders we have today, 200 and what, 50?”

Mr. Singh: Eight hundred and twenty something since them.

Dr. R. Moonilal: Eight hundred and twenty something since they came in office. But the law is very clear. It is unlawful to kill someone. “How come the law on murder didn’t change the culture?” It cannot. It is the enforcement of law and the environment that will give change that will bring change.

The same person—there is a famous story people give—the same citizen who is walking into Port of Spain and will run across the road, and when you come up, you creep up with your car in the traffic, the person will look at you and say “bounce meh nah.” That same person, three hours later, goes on a flight to Miami, Florida, will they do that in Florida, jaywalk and tell a citizen in America “bounce meh nah”? They cannot do that. There is a different environment. There is a punitive environment, yes. But there is a culture of enforcement, and they will get bounce. They will have a collision. So, having this overall belief that law will change culture is furthest from the truth. It is your enforcement. It is your education. It is your social outreach programmes. It is connecting to target groups, if you can find that, and so on.

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In fact, there is now—this piece of legislation, in collaboration with others, creates this very punitive environment that the Government is developing now, where we are presuming that everyone is guilty, everyone is a criminal, and we now challenge you to prove you are innocent. [*Desk thumping*] So, at first glance you are a criminal and I challenge you now, prove that you are innocent. So we take the 100 traffic offences and fixed penalty offences in this. Well, let us use the word “violations” because I think that is the name that they are calling it. There are 100—and I will come to that as well, that 100 offences. Right? And you are creating this culture of a punitive environment, where almost the State becomes almost like a Gestapo arm, going onto the roads, looking for everybody who might be breaking one of 100 offences. Then law will come, where, if you wear what, a gold chain or “two/three gold chain” we need to find out where you get the money to buy it from. That means you might arrest every West Indies fast bowler. If you have a house, we want to know where you get it from. If you have a car, where you get it from.

You know, this culture, not that you will investigate and prove a wrongdoing, but at first glance we look at you and you are a criminal. So prove to us that you are innocent. And this is the culture that is now feeding. It is a very dangerous culture. I do not know from what jurisdiction it is coming. I do not know from which other foreign territory this is coming from, but it is a dangerous culture to develop, where you take innocent people, presume that they are guilty and work the other way around, and create a punitive environment.

I mean, somebody—I will come to it in detail. If you have a light “blow” on your park light, you know the cost of the bulb is \$3.00? You know the fine is \$450 for that? And they are working backwards to prosecute, to create this punitive framework and just fine after fine after fine and demerit points—we will get to that system as well. But, some people, I imagine can argue well that is progressive.

But the Attorney General, in piloting this Motion, within his first 19 words of forty something thousand words, told us that this thing—in fact we were concerned. At first glance you saw a Motor Vehicles and Road Traffic Act. We were looking for the Minister of Works, the Minister of Works who should be at large now, we are looking for him. We could not find him. But then in the first 19 words, the Attorney General tells us this is the continuation of Government’s reform exercise with respect to our criminal justice system. It is to deal with the administration of justice. It is to really use the best use of police time to redeploy police and get a focus for the police. It is about that.

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So, Madam Speaker, we must not fall into the trap of believing this is only about road traffic and motor vehicle. This is about using police time. It is about the administration of justice. It is one approach, as the Attorney General tells us, in dealing with his suite or menu of legislation to deal with administration of justice. And we will speak on that as well. So, Madam Speaker, and he tells us, of course, about the architecture as usual, and so on, and the other pieces of work that they are doing and so on, proportionality, and so on.

But, Madam Speaker, to get to some of the issues I want to raise, and I want to put on record, I want to raise this matter of this red-light traffic. I want to raise the matter of the demerit points system. I want to raise some issues concerning the fines and some issues concerning the constitutionality of the Bill itself, because a major issue that has arisen is the issue of law and constitutionality and the movement, the attempt to decriminalize certain offences.

But, Madam Speaker, in the contribution of the Member for Laventille West, I was not in the Chamber at the time, but the Member for Laventille West, Madam Speaker, could not help but call my name. When I was growing up I thought my name was hard to pronounce. It is now among the most popular for the other side. Madam Speaker, he quotes an article from the *Sunday Express*, this Member for Laventille West, and is saying now that I am on record in an article on the *Sunday Express* of March, and I have the complete article here, March 3rd, Madam Speaker. There is a headline:

“Gov’t has failed on crime: Call a general election, says Moonilal”.

Madam Speaker, without reading the entire article, because it is not practical to do that, the Member for Laventille West accused me of saying in this article that I am accusing the Government of using these measures to raise revenue and he goes to defend it as a revenue measure. Madam Speaker, I have read this entire article by one Suzan Mohammed, not once in this article did I raise any issue of revenue-raising initiatives of the Government. I condemned the Government and their failure to deal with serious crime, including murder and I condemned a few people as usual, but absolutely nothing.

And to think that the Member for Laventille West would have that in his throat but would misquote an article. It is—Madam Speaker, I am looking for a proper parliamentary term—but it is an untruthful recidivism on his part, that he returns to this type, I think I can use that, untruthful recidivism of the Member for Laventille West, that you will use an article in the newspaper and completely fabricate that. I start with that, because I was taken aback.

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But Madam Speaker, that is not to deny that this measure will also, if implemented the way it is, have the ability to raise significant revenue for the Government, significant revenue. And in raising significant revenue, the Opposition should speak as well on what purpose are you going to put to the revenue that you are making, to the revenue that you will derive from such a measure.

You see, Madam Speaker, nothing is wrong, as the Member for Laventille West told us, with raising revenue, but if the revenue raised would not be properly used in context in which it was raised. The revenue to be raised is revenue from violations on the road, traffic violations. Would the money be used to repair roads? Would it be used to clear drains and rivers? Because roads are destroyed today. It is a glaring and dramatic example of the destruction of roads caused by poor drainage.

And if the money—and I want to spell out some of the, Madam Speaker, I have estimated and I will go through the maths in a little while—that if implemented in the current form this Government can raise, by these punitive measures, is excess of \$2.1 billion per year, they can raise. Where is that money going to be spent? Is it going to be roaming charges? Is it going to be bed in hotel in Tobago? Is it going to be \$2.5 million to cut a ribbon to open something? I mean, a \$1.3 billion stadium took \$2.5 million to cut ribbon. And they are happy with that. But are you going to raise the money from the road and traffic to fix the drains, fix the roads?

And I am proposing, and I suggest to the Minister of Works and Transport, that a fraction of this, 25 per cent or so, or 50 per cent, raised from the road and traffic fines, 100 different violations here, be used to create a fund to clear the drains and to fix the roads and keep these things in a state of repair.

Madam Speaker, I can say without a doubt that had there been a regular programme of clearing drains and river courses and fixing roads, we would not have this catastrophe that we have today and the traffic. [*Desk thumping*]

Madam Speaker, I have some early concerns, which I will try to move with quickly. Now, in Part VA, 34, I want to ask. Now, I want to ask the Government, we are raising some concerns. It is a complex piece of work, so we are raising questions. I pray that the Government do not take this approach that when the Opposition raise questions “they get vex and they quarrel”. When we support them they quarrel. When we do not support, they quarrel and the Government is now in a default mode of getting vex. Everything get you vex. A reporter asked

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the Prime Minister where he was for three days, “he tell the reporter yuh sounding like my wife”. You get vex for everything. So when I ask these questions, do not get vex. Do not insult. It is for clarity.

Now, Inspection Officer is a critical line here. Inspection Officer is critical, it:

“...means a constable, Transport Officer or Traffic Warden certified by the Commissioner of Police...”—and so on.

I will come to that.

Now, I want to get to this traffic warden. It is a programme introduced, or expanded, I think, during our term in Government; introduced by us, the traffic warden. It came with a commendation. It was a very progressive approach to take some work away from the police and empower persons, create jobs as well, and so on. But that needs to be taken further. It needs to be taken further. It needs to be strengthened. It needs to be put into a certain legal frame to protect employees, to enhance their payment. I think their salary, unless I am mistaken, is less than \$5,000 a month. So persons who are earning less than \$5,000 a month, persons who have entry-level qualifications for the purpose that we established this for, are now being asked to become an inspection officer. The effect of this legislation is to elevate a traffic warden to an inspection officer.

Now, somebody making \$4,700 per month is inadequate. You know that. Many of these traffic wardens, rightly so, moonlight in the night and do other jobs. In fact, I know some people work as barmen and waitresses in the night, and so on, to supplement their income, because a traffic warden is not a job that carries the salary, carries the benefits, and so on.

And, you are now calling them inspection officers, but not providing for any upgrade in terms and conditions of work, in facilities. And the traffic warden, in this context, undertakes work in the context of punitive measures, sanctions on behalf of the State, moving materials from their desk to the court, traffic warden. Should we be allowing contract workers, because I think they are contract workers, they are not full-time public servants, they are not civil servants, public officers. They are not public officers defined in the law. I stand corrected, but I do not think that traffic wardens are public officers as defined in our laws. They are on contract.

Many contracts have not been renewed where they continue on month-to-month. You are now going to call them inspection officers, put them to do a work, and indicate that the Commissioner of Police must certify that they are trained to analyze and certify the authenticity of photographic images and video

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recording. So they have to certify that photographic evidence and video is authentic, is real, is true. What training are you going to provide for them now? What training? Who is to do this training?

If the commissioner has to certify them as a technical officer, that carries certain implications for their work, for their terms and conditions. Also, should contract officers be doing this type of work, sanctioning and being part of a State machinery, prosecutorial in that sense, without being put on an even keel, as at least a supplemental police would have terms and conditions? This can lead to enormous abuse of these workers, of traffic wardens. Enormous abuse this could lead to. They could be asked to do things, to be corrupt, to undertake wrongdoing, when they are exposed as contract officers, where they do not know on the first of every month whether they are working or not working, whether they are coming or going. And that is a concern that I wanted to raise. So you are going now to say that they have certain responsibility as a constable, as a transport officer. I believe under the Act we also know what is a transport officer.

Madam Speaker, the Bill provides an area which I want to get into quickly, the red-light camera system. Now, if I ask the Government—because I have tried and somehow I could not find out—how many traffic lights do we have in this country? If somebody knows, I would like to find out. How many do we really have? When we were in office our emphasis was to remove traffic lights. We removed traffic lights from the market in Port of Spain, Wrightson Road straight down to Debe. You have no traffic lights. [*Desk thumping*] Once you stop, in fact once you clear the Port of Spain Market, the next time you see a traffic light is by my constituency office. That is the next time you see a traffic light, because you have—so the movement around the world is to remove traffic lights. Now, with this measure, they are going to introduce red-light camera systems and technology to ticket you when you break the red light, presumably. How many traffic lights do we have in this country?

Hon. Member: Plenty.

Dr. R. Moonilal: We have plenty. Are we putting this system in all? Or is it some on main roads, on highway areas? Clearly, you cannot be putting these types of things all in back roads where you have traffic lights by schools, and so on. Listen, you are trying—and when they were moving this, they talked about common sense. In fact, they were quoting the Chief Justice. I do not know if it is fashionable to quote him now, but they were quoting the Chief Justice, on using common-sense approach.

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In fact, the Attorney General said this is a common-sense approach. What is the common-sense approach, asking single mothers, working in the hospitality sector going home late hours in the dark hours to stop by every traffic light in a hotspot, and if you break that traffic light you get a ticket and then you get a points- deducted system and you lose your licence? Is that common sense? In fact, common sense is not to stop by the traffic light. You could be robbed. So the Government has to tell us, is this going to be implemented across the board? Will there be some system for the dark hours in certain zones that the traffic light will be blinking and you can proceed with caution? Because as it is now, people do not stop by traffic lights in the night. They slow down and they gradually creep up until it turns green.

So, Madam Speaker, this red-right camera system has to be properly thought out. I know the technology exists. You travel abroad you will see it. But in the context of Trinidad and Tobago, you cannot impose everything you see in Europe and in North America and put it here. In North America, when you drive along the roadways and highway you will see a police vehicle parked up waiting for you. If you break the light or they suspect you.

This is Trinidad and Tobago. When you stop at a traffic light bandits could attack you. People can hold you up. They can rob you. They can kill you. This is a place where police are chasing people with high-power military guns, and so on. This is a place where—so you have a system now in place where you will stop everybody and if you break the light you get a ticket in the mail, as they say, by TTPost, and so on. You have to reconsider whether that is practical and common sense to be introducing across the board in this country, at a time like this.

And what makes this complex as well, when you read this is that everything carries some time frame; eight days, to be followed by 30 days, to be followed in a next situation of 60 days, to be followed by 40 days. There are a lot of timelines here. But you know there is no timeline for the government agencies to respond to you.

This requires education. This requires communication. This requires a hands-on approach. I hope it is not the same hands-on approach that they have with the flooding, because as of now we can safely say not one human being has received a grant in this flood for this entire week from any government agency. Is this the same management you will bring to the traffic laws? Is it the same management you will bring where several key-delivery Ministers have not delivered one single grant?

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The Prime Minister came to our area. He came without his shadow, not a grant, not a hamper? In fact, when he was flying through with his Prado, “he wet up” a lot of people who were already suffering from the flood. Is that the same approach you will use, Madam Speaker, when you try to implement this; this lack of preparedness?

The first matter is the Government should tell us what type of education programme you have in place to educate motorists on these matters. I made a gentle enquiry to someone in the know and I am told, I asked a simple question: How many human beings in this country, citizens of the country, have a driver’s permit? Do you know what I was told? One million. One million citizens of this country have a driver’s permit. But the person also told me, be a little careful with that because they do not have a proper system in place yet to remove you from their system at the licensing division for death. So when people die if, you know, John Smith would have been 92 yesterday but he died 20 years ago, they probably still have the record that John Smith carries a valid driver’s permit or an expired permit, as the case may be. It should be expired. But if you die, there is no proper system in place.

And, Madam Speaker, I am thinking of that. You do not have the choreography, the link, between the Ministry of Legal Affairs to report death, so that you can take them off your system with driver’s permit and now you are creating a massive database of a million people with driver’s permit to do a registry of demerit system for points, in fact, where all of us who carry a driver’s permit will be on that system. So one million people—and, do we have an education programme, an awareness programme in place? I pray to God it is not one like what they introduced for the property tax, where the Court of Appeal had to tell them what to tell the people.

So, the Government should tell us, we intend to implement an education programme, and you know, the Member for Diego Martin North/East can come with his normal arrogance, and so on, but that will not help us to decipher what is happening here. The population and motorists, and so on, need to be told how this is set up, what are the fines, how this system intends to work.

Because, Madam Speaker, I do not have time to go in detail, but you look at 79H, for example, under provision 34, look at 79H, service of citation notice. You get a citation notice, well they told what is that. It must be delivered to each owner or some adult member of his family at his usual or last place of residence. Now, it is an interesting part and we will come to the legality.

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You know, Madam Speaker, if I am the owner of a vehicle, I never drove that vehicle in my life, I own it. Someone who is authorized to drive it, or who satisfies the insurance requirement, and has a valid driver's permit is driving that vehicle, do you know I could lose the driver's permit I have and I have never driven that vehicle? Because they have indicated that the owner of a vehicle carries the responsibility, not the driver. In fact, this is a situation where for 100 traffic offences the driver carries no blame. It is the owner. Member for St. Augustine, I think so.

And you know, you will have an opportunity, all Government Members, to respond. If you are an owner, you carry the responsibility for the vehicle.

Mr. Imbert: That is under the existing law.

Dr. R. Moonilal: But, as it is now—but the existing law does not bring this demerit points system in place. It does not bring this demerit points system—where the owner can lose his licence who never drove a car or never drove that vehicle in his life. And they will serve it, they will serve it, and so on, and deliver by TTPost and fine the people, and so on. I have no problem with that. They can do that.

And you see, this is the attitude. “They get vex. You ask for grant, they get vex. You tell dem stop to deal with flooding, dey get vex. You ask them to provide help, dey quarrel.” What is he doing? [*Crosstalk*]

Madam Speaker: Members, could we remember that we are in Parliament and conduct ourselves with the decorum that is required? Member for Diego Martin North/East, were you rising on a point or order? Please continue, Member for Oropouche East.

Dr. R. Moonilal: Thank you very much, Madam Speaker. Madam Speaker, before “he get put out” I think he left. Madam Speaker, so there is a programme to serve. There is a service, and so on. But, you know, I want to make this blanket point that one of the objectives of this Bill is to take away the work of the police, reduce their work and the Magistrates' Court and it is a good laudable objective. But when you read this measure, the constable has enormous work to do. Enormous work tasks are given to a constable in this new measure. So I am not sure to what extent you are reducing the burden on the police officers. I am not sure how that will work at all.

So, Madam Speaker, the citation notice comes, they deliver it and there is a process, you pay. You can pay online, we are being told, and so on. So, that is fine. If you decide to object, you do a notice to that effect as well, where you also

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have to serve. It is a kind of system where you have to present yourself. Nobody comes for you, you present yourself and you go to the requisite court and you argue why it is that you should not be paying.

There are two grounds for not paying, and I will have to move quickly because there is a lot more we want to say. Two grounds for not paying. One is that you are not the owner of the car and the second is that the car was stolen. When I say car, the vehicle. The vehicle has been stolen. Now, clearly you would report that to the police. It will not be a case like NLCB board where “they say they get a threat, did not report it to the police and then take all the money for security.” You report it to the police, or the police has a record that a vehicle is stolen. Or you say: “Well the vehicle is not mine. It was transferred already. I am not the owner.” Two very restricted limited limbs upon which you can come forward, and so on. And you do that, and you serve your notice, and so on.

Again, we want to raise this issue of the qualifications of persons and training requirements, and I want to ask the overall question.

Madam Speaker: Member for Oropouche East, your original 30 minutes are now expired. You are entitled to 15 more minutes. If you intend to avail yourself of it you can proceed.

Dr. R. Moonilal: Yes, Ma’am. Thank you very much.

Madam Speaker, the training requirements—and I want to ask the blanket question, I would not have not time to go in detail. What is the human resource requirement for this legislation? How many more people must be hired at the Transport Division? How many more traffic wardens must be hired? How many more administrative staff, IT staff? Because there is a huge human resource demand from this piece of legislation. If you are going to create a system that has a registry for a million persons with a driver’s permit, that is a massive system to inform the court. The court informs the Transport Division. The Transport Division liaises with the court. You are creating almost a new Ministry to manage that. And is the bureaucracy in place? What are your plans to deal with that? That is a very important point I want to raise.

Madam Speaker, coming to the money now, you see the Member for Laventille West stumbled on it. The Member for Laventille West alerted us to a development where he said that he had data, and we have no reason to doubt his data, Madam Speaker. He said that one traffic light, I believe it is the traffic light right here near the Chamber, Wrightson Road. In January there were 3,900 violations and he gives us every month, on average, I want to say, Madam

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Speaker. Let us say 4,000 violations per month by one traffic light. What is the amount of money for a traffic violation? I think it is \$1,000. In this new measure?

Mr. Singh: Five thousand.

Dr. R. Moonilal: Five thousand? \$5,000 at 9,000 violations at one light per month, multiply by 12 months—[*Interruption*—\$900 million for one light violations? That cannot be right.

3.00 p.m.

So something is wrong even with the presentation that they give us here. Let us assume it is in the old system, \$1,000. You have 4,000 violations at one light, at \$1,000—\$4 million a month by 12 months—\$48 million—multiplied by 25 traffic lights assuming that you are going to do 25 traffic lights. You see how much money we are talking about per year? And that is only for one offence, one out of—so we have 99 more offences to look at to raise money. This is why I suggested that this is a multibillion-dollar scheme to raise money to manage their deficit—that is what this is about—and whether they admit it or not, we are very concerned with what would this money be used for. They will tell us in a flippant way: “Well, to balance the budget. To balance the budget.” They will be telling us that.

Madam Speaker, I want to go quickly to some of these offences, the

Ninth Schedule, I think it is. The Ninth Schedule. We have several offences—and while I appreciate the Member for Laventille West saying, and the Attorney General, that there was a massive inter-agency collaboration and everybody met and everybody discussed and signed off and they were beating their chest how happy they were and so on—and some of these offences and these violations, when you look at the fixed penalty, the demerit point system, they are out of sync with each other. They are out of sync.

Madam Speaker, I am going to say it roughly now, subject to one or two minor things. If you accumulate 20 demerit points over a period of time, you will lose your licence for two years; 20 demerit points. If you fail to take instructions from a police you lose six. That is a police telling you at a traffic light to turn left, you misunderstand what he said that is six gone. Madam Speaker, if you have a child in the back seat and you do not have a proper booster seat, which you have to buy—nobody is buying that for you, you are buying that yourself—four more. That is 10. Madam Speaker, they have another one here, if you fail to provide a specimen of breath that is 14 points, “Well yuh gone through already”. That is

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two years you have lost your driver's permit for, and your livelihood in some cases, because a driver's permit is critical for a job. I do not know if the Government realize that there are many jobs, particularly elementary occupations and so on, where a driver's permit is critical for the job. You deliver FedEx mail packages, you deliver KFC, you deliver a burger, you are working in the hospitality sector and so on, taxi drivers of course are the main ones.

You have, Madam Speaker, carrying persons in a dangerous manner. I want to raise one matter related to all these fines and so on, and you know use of a noisy vehicle, we know that, but what is interesting is that playing a musical or noisy instrument in a vehicle without permission of the Licensing Authority, you do not lose any points for that, but you get a \$1,000 fine. Now, that might be good, because there are a lot of people who park up by bars and restaurants and so on and disturb people in the night. They disturb people in the night. [*Crosstalk*] They park up, they put on their DJ equipment. It is not the restaurant or the bar sometimes, it is those persons in the car. They put on their system and blast music and an entire neighbourhood is in pain and inconvenienced.

Now when you do that, what is instructive, if you were serious about that, you would list the environmental management agency as well, as one of the public bodies allowed to issue fixed penalty notices. Because you have listed the Public Transport Service Corporation, Airport Authority, CDA, National Hospital Management—I do not know what National Hospital Management reach there for but I imagine, ambulance and so on—but the EMA that supervises some of these problems could be listed as well, as a body, a public body, to give fixed penalty offences and so on because of this terrible problem with noise and the disturbance to ordinary people.

Madam Speaker, you have a series of offences, and what I find curious is that, of course, if you are using a phone for text and so on you lose demerit points, six. There is a process where you can appeal all of these demerit points. That by itself is a cumbersome process requiring education, requiring participation with the Judiciary and so on.

So what would have been more practical is to break up this hundred into bands, and create bands and have them in proportionate relation to each other. So you do not mix up somebody with one light not working in the back there and put them with someone else who makes serious violations of blocking traffic and so on. You have using a vehicle without a horn, \$300, three points and so on and those types of things.

You know, a better approach to take which the Government could have also

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looked at, is that sometimes somebody will leave home in the morning, your park light working, during the day something happens—you drop into what you call a pothole on the road, a light is broken, something happens to your muffler—where you could have met and treat with citizens, issue a notice to the citizen and tell them you have 48 hours to fix this and please report to the police station in your neighbourhood, so that they could put in on their computer and indicate that you have done that. Would that not have been a better approach than to this plethora menu of fines and demerit points and forcing you to pay and if you do not pay you lose points and so on? There is a brutality with this type of legislation.

For minor violations you can give a citizen 48 hours and say fix it immediately, by a computerized network system report to your neighbourhood police station, let them inspect it—it is fixing, the light. The \$3 bulb you bought—and then you go on your way. There is a human side to this, but I am not sure the Government appreciates in this mad rush to just collect money. This is why.

You know, the Member for Laventille West told us in America where he was riding in a police car—we do not know under what guise—but he was riding in a police car and he told us that they “ketch” a serial killer by breaking a traffic violation. They “ketch” a serial killer because he broke a traffic violation. [*Crosstalk*] You were not there, but you said these things happen because you can “ketch” serious criminals because of smaller violations and so on.

In Trinidad and Tobago, they are implementing breathalyser and speed guns and these types of things—that is fine—but murderers are not driving fast or they are not drunk, because you do not “ketch” them that way. You do not “ketch”. We had a case of a citizen, a constituent of mine, reporting an alleged kidnapping. When the police found the vehicle on the highway in the vicinity of Freeport, they were driving slow under the limit. There was absolutely nothing suspicious about the vehicle that had someone in the trunk of that car, absolutely nothing suspicious. No violation at all, and that happened a couple years ago. They were able to apprehend persons in the middle of a kidnapping. In fact, they cordoned off the highway that day to get the car and so on.

So, Madam Speaker, a more humane approach of separating minor violations from serious violations and putting a system in place with the Trinidad and Tobago police service to issue a 48-hour warning, fix it immediately—notify a police station, they put it into their system. They said John Smith has fixed that, take it off—[*Desk thumping*]*—*than taking hundreds of thousands of people and creating this line-up everywhere, or if you are on your computer pay the fine. This is not a proper approach to dealing with this problem.

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Madam Speaker, we have now the issue of the legality of this. The Attorney General is want to tell us that there is no need for a constitutional majority. It satisfies Suratt and Northern Construction. It is proportionate—there is a legitimate aim, it is proportionate and so on. But, Madam Speaker, there is also another legal opinion, and other legal views, that tells us that the simplification of criminal proceedings cannot be a legitimate aim to cross the constitutional threshold. [*Desk thumping*] You cannot just say simplifying this process, removing people from the jurisdiction of the Magistrates' Court is a legitimate aim to undo a constitutional threshold, and that is a matter that we have to also discuss in this debate. [*Crosstalk*]

The other matter, by this law—I do not know if some people will agree—the Parliament is pronouncing you guilty. The Parliament and not a judicial body is pronouncing you guilty. You then go and prove your innocence after we have pronounced you guilty in a circumstance, whereas before it is that you are caught or the constable tells you: “Listen, I fine you for this, go and prove and we will bring the evidence to tell you that you are guilty.” The burden is there. They have changed the burden around, I think, from reasonable doubt to balance of probability.

Now, reasonable doubt is a higher bar than balance of probability. Balance of probability could be two or three statements or a statement or something you can collect anywhere from somebody at the side of the road. So they have moved that. Is it also moved in other offences that have remained in the parent Act particularly 70, 72 and related offences that carry criminal sanctions? There are offences that carry criminal sanctions, jail term and so on.

So, Madam President, there is something out of sync terribly with that. There is something out of sync as well where the person who is fined, the offender—in this case you use who is a violator, to use that term—need not appear at the court and the matter proceeds without them. It proceeds on the first occasion without them. There is no process here that I have read that says that if you do not show up at the trial on two occasions, on three occasions, we proceed without you.

So if someone has a heart attack, if someone has a major problem and if someone is in flood—Madam Speaker, this week many people are home, they cannot go to school, they cannot go to work, but they cannot go to court either. So assuming that there will be no drainage work by the Minister of Works and Transport things remain—we are very pessimistic that nothing will happen in the aftermath of these floods. In fact, it will continue to flood once they are in office. Madam Speaker, if someone is in a flood and they cannot go to the court and that

matter is called, according to this law, they proceed without you, *ex parte*. There is no process that says, listen on the third occasion if you do not appear on the second occasion or something like that. So there is something draconian here as well. [*Desk thumping*] There is something draconian.

I want to end—my time is coming to an end—by stating that this framework speaks of a Gestapo operation—a Gestapo operation on the road, a Gestapo operation to your home—that every little thing a citizen do—George Orwell, *Big Brother 1984* was the book, a seminal, book—Big brother is watching you. The Government is watching you—every single thing your do, every motor car your drive—every problem, that they are coming for you with a fine, with a system of taking away your livelihood. A driver's permit is a ticket to a livelihood. They are operating with that system creating a cumbersome system. I believe there is some merit here. There is some merit here about cleaning up the Magistrates' Court and so on, there must be, but we need to work it out a “lil” better so that you do not create another bureaucracy.

As I said before, how much human beings are required to manage this? The registrar for the demerit system is going to be run by a division of one Ministry. Do they have the resources for this? The technology exists. Do they have the people? Would they have the financial resources? Madam Speaker, these are some of the questions we pose. Thank you. [*Desk thumping*]

The Minister of Health (Hon. Terrence Deyalsingh): Thank you. Thank you very much, Madam Speaker, and good afternoon to all, once again, as I rise to make a contribution on the Motor Vehicles and Road Traffic (Amdt.) Bill, 2017. I will refer to it by its short title. First of all, Madam Speaker, I would like to thank this Government, this Prime Minister and this Attorney General for bringing to the Parliament a piece of legislation that is not only long overdue, but is ground breaking in its content and has the intention not of locking up people and not of raising fines but, in my view, to give life and meaning to our watchwords: discipline, production and tolerance. Because anyone could see the way we drive on the roads and one could come to the quick conclusion, there is absolutely no discipline. We are an undisciplined society when it comes to how we drive—indisciplined, sorry. So we do not even adhere to the watchword of discipline.

I think one of the objectives of this Bill is not about collecting fines. Every speaker opposite, their anchor to this is either constitutional arguments or this is a revenue raising money. I would like to see the day when we collect no fines for road traffic violations, because collecting no fines mean that you have no traffic

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violations. That is what this Bill aims to do, not to raise fines, but it aims to raise our consciousness as a society as to how to treat ourselves, how to treat fellow road users and how to behave as a civilised society—[*Desk thumping*]*—*that is the purpose of the legislation—and to make our highways safer.

Madam Speaker, we are here to amend Act No. 48:50 of 1934, and I think today there have been about 91 amendments, but this is going to be the most significant amendment to date. And as I develop my argument, Madam Speaker, please permit me to put on record, and I want to quote some figures from the World Blood Donor Day—WHO. It is estimated that 1.25 million people die each year due to road accidents around the world; one and a quarter million people. It is the leading cause of death of young people between the ages of 15 to 29. Those are young people on the cusp of being the most productive members of society. [*Crosstalk*] I am talking globally.

It contributes to 90 per cent of world's fatalities in low to middle income countries—90 per cent, but those same countries only have 54 per cent of the world's vehicles. So you see what the disproportionate burden is. Low to middle income countries only have 54 per cent of the world's vehicles, but they account for 90 per cent of road fatalities. Half of those dying are what we call vulnerable road users, that is, pedestrians, cyclists, motorcyclists. It is estimated that all of this costs 3 per cent of global GDP. So we have a problem. I am giving you the global context.

What is the Trinidad and Tobago context? This is the data from the TTPS. Trinidad and Tobago “Deaths By Road User Category”. Pedestrians account for 21 per cent of the deaths due to road accidents—those are the vulnerable groups; cyclists 3 per cent; riders of motorized two or three-wheel vehicles—well, I do not think we have much three wheels again—5 per cent, but this is where the crunch is—34 per cent of the deaths are from passengers in four-wheeled vehicles and light vehicles, and another 34 drivers of four-wheeled cars and light vehicles. So cars, pick-up trucks and light vehicles combined account for 71 per cent of the road fatalities. That is a frightening figure. That is what this Bill is about. This Bill, as the Opposition will have you believe, is not about revenue generation, it is about life. It is about inculcating a culture of safety on our roads because our roads are a place of lawlessness. And until we admit that we have that lawlessness problem, like a drug addict, unless you admit you have a problem, you will not find a solution.

Madam Speaker, some of the issues we have to look at and what this Bill tries to address are the issues of impaired driving, and I will speak about that a little

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later. I want to congratulate the current Minister of Finance who I think was the current Minister of Works and Transport at the time who introduced the breathalyser test, if I am not mistaken.

Mr. Imbert: Not only that.

Hon. T. Deyalsingh: Not only that, but that was one of his better works. [*Crosstalk*] What we are seeing now is a further amendment to the Act to once and for all harness our collective energies to become a more lawful society.

One of the other issues we have to deal with—and I would go to town on this under clause 9, because this is a pet peeve. Member for Siparia, I hope you will join me in this—distracted driving and irresponsible driving. I would be talking at length on clause 9 about parents who love their children so much that they put them to sit down between themselves and the steering wheel. They love their children so much and they love their dogs and pompeks so much that they put their two-year-old child between themselves and a steering wheel—hold the child and the steering wheel with their left hand and hold the pompek with their right hand. It is all over in the residential, but this is an absolute tragedy—and another phone on the shoulder. Where is the personal responsibility in this? Member for Siparia, have you ever seen that?

Mrs. Persad-Bissessar SC: Not with the pompek. [*Laughter*]

Hon. T. Deyalsingh: But you have seen the child. Could you imagine—and we have three eminently qualified doctors here—a child whose bones are not yet hardened in even a 20 mph collision, and that child whom you love so much, whom the mother carried for nine months—and you “jaray” them, and you love them, and is your “popo” and you swaddle them—and you put that child to stand between yourself and a steering wheel? That is an absolute tragedy. That is a crime. So as I say, part of my argument is anchored in the watchwords of this country and I chose the word “discipline”.

Madam Speaker, speakers across the floor, and especially the Members for Tabaquite and Princes Town, raised the issue of constitutionality which I would address that maybe depriving someone of their licence is a breach of the Constitution under section 4, I believe. The Member for Princes Town also echoed those sentiments and the Member for Princes Town also went to town—no pun intended Princes Town—about we are tackling corruption first before we come to this Bill.

Let me deal with the constitutional issue first. When you go to the Constitution and one reads the Constitution “Rights enshrined”, section 4, the

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only right I could see that Members opposite are referring to—and they are echoing what happened in the other place—was section 4(a):

“the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived therefore except by due process of law;”

That property, I think you alluded to, can either be your licence or your motor vehicle. So I would come to that.

The other one is 4(g):

“freedom of movement;”

Let me deal with whether your licence and your car is property and whether those rights are infringed by this.

First of all, what is a licence? A licence to operate a car is a contract between an individual and the State. It gives you permission to do something. Similarly, doctors have a licence to practise medicine, a licence which could be taken away from them if they breach something in the Act. A dentist has a licence to practise dentistry. He or she can lose that licence for malpractice or other purposes. An accountant can lose their licence to practise accountancy; an actuary can lose their licence to practise in their profession; a pharmacist, like myself and a lawyer. So the laws are prolifically mandated to deprive someone of a licence. How is depriving somebody of a licence, a driver’s permit which is a contract between the State and the individual, be equated with taking away your constitutional rights? Then doctors and lawyers can raise the same constitutional issue.

However, let us take something like a firearm and this is where we need to look at the Constitutions around the world. In the United States, the right to bear arms, the right to carry a firearm, is a fundamental right protected by the Second Amendment. So we have to look at what the Constitution allows and what the Constitution does not allow. So in our context, a licence to operate a vehicle is a contract between the individual and the State. You take away that licence because they have broken the law several times. It does not therefore interfere with section 4(g) “freedom of movement”. Even if you own the car and you lose your licence, your freedom of movement to go from any part of the country to anywhere is not impeded—simply get a driver, hire a taxi, go by bus—but let us not fool the public into thinking that your constitutional rights are being taken away. They are not. They are not. A licence is simply the result of demonstrating your skills and knowledge and based on other assessment tools. It

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can already be revoked under existing law. So where is this constitutional argument coming from?

Your licence to drive is not to drive in your own property, you know. We are not taking away that right. Public roads are state-funded roads. Does the State not have a say in who should be using those state-funded roads? The State has jurisdiction over who should use its roads or not and whether you are a capable person to use the roads or not. So I want to put to rest, hopefully, this issue of the Constitution.

And even if you lose your licence, we are not depriving you of your property because you can still use your motor vehicle if you are the owner. You simply get a driver. So your freedom of movement is not impeded; your freedom to enjoy your property is not hampered with but your licence which is a contract between you and the State should be and may be suspended and taken away if you offend the law. So I am hoping that the public who is listening is not being swayed or convinced by the constitutional arguments.

Let me deal with and handle the issue of corruption raised by the Member for Princes Town. The Member of Parliament for Princes Town, very eloquent, very convincing speaker, blew hard—sorry, made a lot of noise last week, whenever, about we should not be bringing this piece of legislation until we dealt with corruption. [*Crosstalk*] Yes, you did. I looked at your *Hansard*. You went to town on that—deal with corruption at the Licensing Office, deal with corruption before you bring this piece of legislation.

For the uninitiated, hearing the Member for Princes Town, they might say, you know, that is a good argument. The Government should really deal with corruption first. But there is something called an Order Paper. If one simply picks up the Order Paper, you will see that the Order Papers in the past had legislation to deal with FATCA that is a corruption busting tool. We have the Financial Intelligence Unit, the FIU. The Attorney General is bringing legislation to deal with asset forfeiture, and on this Order Paper if you want to deal with corruption, let me now tell the public, on page 3 of the Order Paper”

“A Bill entitled, ‘An Act to amend the Mutual Assistance in Criminal Matters Act, the Proceeds of Crime Act, the Financial Intelligence Unit of Trinidad and Tobago Act, the Customs Act and the Exchange Control Act””

That, my friends, is dealing head-on together with FATCA with corruption, but it does not end there, Member for Princes Town.

3.30 p.m.

It goes on:

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[HON. T. DEYALSINGH]

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“A Bill entitled, ‘An Act to amend the Land Adjudication Act,...’

A Bill entitled, ‘An Act to amend the Registration of Titles to Land Act,...’

A Bill entitled, ‘An Act to Amend the Land Tribunal Act,...’

A Bill entitled, ‘An Act to repeal and replace the Crown Suits Limitation Ordinance’”

These four pieces of legislation to deal with land is going to be one of the biggest anti-corruption measures in Trinidad and Tobago, because ill-gotten gains are—[*Interruption*]

Madam Speaker: Hon. Member, I would not let you go too much into that, okay, because you are bordering on anticipation. You could mention it but, please.

Hon. T. Deyalsingh: Thank you. These Acts deal with corruption—[*Interruption*]

Hon. Member: In the licensing office?

Hon. T. Deyalsingh: Yes, because the corrupt officers will take their money and do what with it, convert it to land and property so you could trace it. That is where the anti-corruption measures are. So let us be careful and not mislead the public, so all these pieces of legislation are there for you to read, for you to ingest, for you to imbibe and educate yourself.

Madam Speaker, I now want to turn to the Act itself, the Bill itself. A lot of commentary was had on the Ninth Schedule, and I promised, especially the hon. Member for Siparia, I will be dealing with this now. Ninth Schedule, number 10:

“Driving a vehicle with a child in the front seat who is five years and under”

It is abhorrent that in 2017 we have to pass a law to tell a parent they should not have a child under five in the front seat. It is absolutely abhorrent. That is a non-issue. It is a non-starter. Every parent should know that. Number 11:

“Failing to place a child who is five years and under in a child restraint or booster seat...”

—and, you know, the flippancy with which the booster seat issue was dealt with by the Member for Oropouche East, saying that parents now have to go and buy a booster seat. What is wrong with that? Imagine that becomes an issue. This same child that you carried for nine months that is now an infant, the Opposition is now making it an issue that you have to buy a booster seat or a

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safety seat for that child. Could you imagine that is an argument to talk about? [Crosstalk] It has nothing—[Crosstalk] You heard the comment, “everybody rich like me?”

Madam Speaker: Hon. Members, I appreciate that we have had a very stressful week and it might be difficult for Members to restrain themselves. I remind you of the provisions of Standing Order 53. Please continue, Member for St. Joseph.

Hon. T. Deyalsingh: Yes. Member for Oropouche East, it is not about being rich to afford a booster seat, it is about what value do you place on your child’s life, and if you could afford to buy a car for how much thousands of dollars, you cannot buy a booster seat, and that is an argument of the UNC. I find this ludicrous at best and shameful at worst. I cannot understand that argument. [Crosstalk] Madam Speaker, this is where I had promised to come back. [Interruption] Sorry?

Dr. Gopeesingh: It is not you, it is Fitzy. [Laughter]

Madam Speaker: Member for St. Joseph, direct your information this way, thanks.

Hon. T. Deyalsingh: Yes, I will, Madam Speaker, much more pleasant to direct my comments to you.

This is where I want to come back to the personal responsibility of parents, parents who deliberately put their children’s lives in danger by not having them belted in, by having them in the front seat. Do you know what some parents do, especially cars with bucket seats? They have their children standing up in the back in the middle of both seats, with one hand on the right seat, one hand on the left seat, unrestrained. Even at 30 miles an hour if you have to make a sudden stop and that child lurches forward, what is he going to hit? The gear lever or the windshield and go straight through. We have to pass laws in 2017 to tell parents how to behave as a parent? In my view, you should take away that person’s licence for life, but you cannot put that. But I am just bringing these real-life examples to bear on the irresponsibility of people who use the roads. And that same parent, as I said before, they love their child so much that they put them between themselves and the steering wheel, and they will be crushed in even a 30 mph accident—absolutely crushed and die if they are lucky. If they are unlucky the child will live, but live as what? As a society, when did responsibility go out of our collective consciousness? When did that happen?

Number 14 of the Ninth Schedule:

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“Motor racing and speed trials between motor vehicles without permission”.

My heavens, we all know the highways and the parts of roads that are used by young persons to race. I think it happens outside Skinner’s Park in south. Yeah? In the early days it used to happen, I believe, on the Uriah Butler Highway, but it still happens. It still happens so we have to get serious and we have to modify the behaviour of our young people. Actually, this legislation will save young people from themselves; that is what this legislation will do. Because if we do not have the responsibility to change our behaviour, just like how the introduction of the speed guns changed culture overnight, then this will change culture and make us more responsible for our actions.

Madam Speaker, number 24 of the Ninth Schedule, a pet peeve of mine, we are hearing about if we take away a person’s licence, taxi drivers depend on it, the package drivers, the UPS, the FedEx man. You know it is simple, if having a licence is so valuable to your day-to-day existence to earn a living, simple you know, obey the law. Do not give the authorities the opportunity to take away your licence. You know, societies often say we need change but then when you start with the change, no, leave it so. All of a sudden people cannot drive taxi. Who has the most responsibility on the road than a taxi driver who carries, daily, hundreds of people?—hundreds of people. Hundreds of people’s lives are in the hands of a taxi driver every day, therefore, he has a greater duty of care to behave in a certain way.

So the argument that taking away a licence because people are disobeying the law is somehow draconian does not hold water. Let me give you my own personal experience. I was a casual drinker. I took a decision on October 24, 2013, after just having won the by-election. That was the last day I drank. [*Desk thumping*] Last day.

Mr. Singh: Because you cannot handle it.

Hon. T. Deyalsingh: No, you are right, because my metabolism was reaching a stage where after even two or three drinks I will have a cracking headache for two days, and I took a decision I am not going to drink alcohol. I will tell you something, outside of marrying my wife, it is the second best decision I have ever made in my life. [*Desk thumping and Crosstalk*] No, joining the PNM was third. [*Crosstalk*] Having children was third, joining the PNM was fourth. [*Laughter*] Madam Speaker, Standing Order 48(1).

Madam Speaker: Member for St. Joseph.

Hon. T. Deyalsingh: Madam Speaker, Standing Order 48(1)—no, on myself. But the point is a lot of these fines could be avoided if people simply behave themselves on the roads. So it is not a revenue raising measure. It is not a draconian measure. It is not a punitive measure. The Member of Parliament for Oropouche West spoke about number 27:

“Failure to submit breath analysis or wilful”—alteration—and had a lot of trouble pronouncing the word alteration—“alternation...”

I am having some trouble with it too.

“of concentration of alcohol in his breath or blood”

Madam Speaker, that clause was put in there because there are a lot of studies which tell you how people try to beat the breathalyzer by either hypo or hyperventilation.

I even found a very nice article that talks about people who drink alcohol and who had gastric bypass surgery, and who have been subsequently held for a breathalyzer test, and it is advised, for Members opposite, that once you have gastric bypass surgery you should watch how you take in your alcohol because it could give you a very bad reading. And I quote from *MedPage Today* from San Diego, June 15th:

“In a case-control study, blood alcohol concentration peaked about 0.03% higher and took 40 minutes longer to dissipate among patients who had undergone bariatric surgery than in those who had not...”

“Alcohol after gastric bypass surgery should be approached with caution,”

So everyone who has had bypass surgery should watch themselves with their intake of alcohol.

Madam Speaker, I have congratulated the hon. Attorney General on being very proactive on bringing this piece of legislation here. In coming to a close, because I do not intend to detain the House for too long, in looking at models from countries like Spain what are some of the features of deterrence?—because what we are about here on this that is not deterrence. We are not about punitive measures. We are not about raising revenue. It is about deterrence. Item number one, key success factor, number one, legislation, done; two, enforcement, other authorities have to see about that; three, surveillance, and this is where section 34, the red-light cameras fulfil the requirement of surveillance. The days for having a policeman on every corner are done, you simply cannot do it. So you must have these what we, in the old days, used to call those humps on the road, sleeping

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policemen. So the red-light cameras fulfil the requirements of having surveillance.

A key success factor when you want to change culture and change behaviour in the shortest possible time is fear of consequences. [*Interruption*]

Madam Speaker: Hon. Member for St. Joseph, your original 30 minutes are now spent, you are entitled to 15 more minutes.

Hon. T. Deyalsingh: Thank you, Madam Speaker.

Madam Speaker: You may proceed.

Hon. T. Deyalsingh: Fear of consequences, in Trinidad and Tobago. Let us admit it, there are no consequences for illegal behaviour. Let us admit that. At all levels of society, there are no consequences. You do something, you get away with it. We have to change that culture and now we must have consequences, so clause 35 deals with that, the fixed penalty system. Let that be a consequence of your illegal, dangerous behaviour that not only threatens yourself. My God, if you do not like your own life at least like the life of somebody else on the road, a complete stranger. But if drivers do not even like themselves how do you expect them to like the driver next to you? How?

This Bill is a Bill that is charged with the opportunity of changing culture. That is what this Bill is about. It is not about revenue generation. It is not about taking away constitutional rights. It is about changing culture and starting to infuse our society with the feeling that you do something wrong now on the roads you are going to get caught and these are the consequences, therefore, I have two choices, lose my licence or change my behaviour. So this Bill is more about behaviour change modification.

The fifth component coming out of that study in Spain is the application of laws, and sections 1 to 34 does that admirably where we are now applying a law to convert crimes to violations and offenses to violations, so that you do not clog up an already congested Magistrates' Court system that is overburdened and overworked.

So, Madam Speaker, as I come to a close, I hope I have articulated my personal feelings on some of the behaviours of fellow road users. I know I went to town a lot on my personal views on the total disrespect people have for their own children, and if you do not have respect for your own children's lives then you cannot respect the other road users. I am really passionate about this, and I am hoping that this legislation not only is an opportunity to change behaviour but

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becomes a crime-fighting tool, because what is coming down the road is radio ID—AG?

Mr. Al-Rawi: Yes, Sir.

Hon. T. Deyalsingh:—on your license plate. So as the law evolves it becomes a major crime-fighting tool. So, Madam Speaker, I hope I have answered the two major issues raised by the Member for Tabaquite and the Member for Princes Town, the constitutional issues. I want to support this Bill, and I thank the Attorney General, and I thank all Members for listening to me. [*Desk thumping*]

Madam Speaker: Member for Chaguanas East. [*Desk thumping*]

Mr. Fazal Karim (Chaguanas East): Thank you very much, Madam Speaker, for allowing me to contribute to this debate, entitled, the Motor Vehicles and Road Traffic (Amdt.) Bill, 2017, and it has a longer title to that. Madam Speaker, this might not be a money Bill in the strict sense of the word but there is plenty money to be received from the passage of this Bill, extracting from persons who are already facing significant hardships [*Desk thumping*] in this country, losing their jobs. But I want to also say that while I appreciate the fact that one might need to be strict with the codes of conduct for road users, the imposition of these huge fines may not necessarily give us the desired behaviour.

This can be substantiated, Madam Speaker, by a study conducted by David A. Anderson, Professor of the Department of Economics at the Centre College in Kentucky. And his article, I will just indicate that for reading, shows extensively where stiffer penalties does not necessarily mean that you are going to be placed or pushed into deterring your criminal behaviour, and in this case, offences. Madam Speaker, my colleague from St. Joseph spoke extensively about road traffic accidents and the effect of road traffic accidents. He indicated that—well, he did give some data on the international scenario and a small amount on our local situation. I think it might be very instructive for all of us to be advised as to the impact of accidents and fatalities on our roads. I have just gotten some data from the Trinidad and Tobago Police Service and I want to share that with ourselves here and the national community, because I asked for that data to be constructed by major highways in Trinidad and Tobago.

Madam Speaker, what I am going to indicate here this evening really covers a period of five and a half years for the period 2012 to 2017, as current as we are. It might startle us to know that for that period of time we had a total of 839 road deaths. Madam Speaker, if we disaggregate that by the age of the victims—and

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the police identifies minor as under 18 and adults as over 18—we would see that of that 839, 116 persons who lost their lives were classified as minors and 723 were classified as adults. It is also instructive to note that when I asked for the data on a gender basis of that 839 for the same period, 2012 to 2017, as current as we are, 679 males lost their lives and 160 females. But what I also found very interesting, as I asked for the major highways and where most of these fatalities would have occurred, Madam Speaker, topping the list of road deaths is the Churchill Roosevelt Highway where we had 86 accidents and 110 fatalities. The Uriah Butler Highway came in second with 71 accidents and 81 lives that were lost. The Sir Solomon Hochoy Highway was third with 74 accidents and 87 lives were lost. And the Priority Bus Route, which I also asked for because we see a lot of accidents taking place on the PBR, were 48 accidents and 55 fatalities.

Madam Speaker, I did not want to exclude Tobago so I asked for the data on the Claude Noel Highway, and, again, in case people missed the source, it is the Trinidad and Tobago Police Service, there were 16 accidents and 23 fatalities in Tobago. Madam Speaker, some of us would recognize that along the highways, and in some cases there is a preponderance in certain places of these casualties, whether it be Forres Park at Claxton Bay, and people indicate that there is a wind shear there that they experience. Some time ago people used to say that there was a girl who died and the parent made a monument of her, and that her soul was roaming there. You also have now that the statue is without a head. So people say all kinds of things, but whatever they say you also find that there is a preponderance at the Gasparillo Flyover. It will also be instructive to note that there are a number of fatalities that take place in Chaguanas in the vicinity of the Divali Nagar, and also on the stretch of Valencia where people have the tendency to speed.

My colleague from St. Joseph made reference to the fact that a licence, a driver's licence is a contract between an individual and the State, and using the state resources, the roads, and he went on to compare that with a licence, which is, and he says, like a doctor or a dentist, or a doctor, as we now would have heard from him just now, or an accountant, and that they can lose their licence. Madam Speaker, that is comparing apples and oranges; that is a different thing. I want to suggest to my friend that when you become a doctor or a dentist, or an accountant you go through a significant period of training before you become licensed to operate. And, therefore, one of the things I wanted to look at in the Bill on page 43, item number 12, which says on the Ninth Schedule:

“Offences of driving instructor

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Motor Vehicles and Road Traffic Act, Chap. 48:50, section 46”

Those offences carry a fine of \$2,000 and 12 demerit points.

Madam Speaker, I am raising this matter because I feel that it is something that is very critical in terms of us being given, or awarded, as you would want to call that, with a licence to drive. The question I want to ask this evening is, what is the quality of that graduate driver who we are placing on this road? What is that quality we are getting through a period, prior to that, of induction or education, or training? And that brings into question as well the quality of the driving school, the concept of the driving school, the concept and the quality of the driving instructor and the learner driver. I do not want to repeat what would have been said before, I want to take a new paradigm in terms of the contribution to this Bill. And the culture change is not going to be one that you must be punished into behavioural modification change. [*Desk thumping*] That is not how it happens. If that was happening—if that is how it happens, then corporal punishment will still be in schools today, because all of us who went to school—and my friend the Attorney General will know—[*Interruption*]

Mr. Imbert: “Leh we abolish all the laws here.”

Mr. F. Karim: And then you are hearing to abolish the laws. Well, maybe some people on that side will prefer that, we on this side say you must be duly appointed [*Desk thumping*] legally instituted laws in this country, and we are also patriots of this country, [*Desk thumping*] quite contrary to what others may say. But I want to say, Madam Speaker—[*Crosstalk*]—and we are not certainly any missiles or any birds that fly—[*Interruption*]

Madam Speaker: Do not be distracted.

Mr. F. Karim: I do not. My friend is known well as a seagull in other places. But I want to say as well that in terms of the driving school, I want to indicate what really is the criteria we would see, and I want to also say that what we are told in Chap. 48:50, Madam Speaker, and I read:

“A person who instructs a learner to drive a motor vehicle in Class 2, 3, 4 or 7 shall be the holder of a valid driving permit for that class of vehicle for a period of not less than three years.”

Madam Speaker, can you imagine that to operate a driving school and to operate as a driving instructor all you have to have is three years’ experience. And when I asked the Ministry of Works and Transport and the Licensing Authority, can you give me the forms, the application forms where I can apply to be a driving school or a driving instructor, I am told that there is none. You simply take the name of the school that you want to operate under, you go through

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the revenue office and the Ministry of Legal Affairs, you ensure that nobody else has that name and you just put on your name. You could paint it on your vehicle, Fish and Sons Driving School from Gulf View, or wherever it is. I am not saying that they live there, maybe the Gulf of Paria. Therefore, I found it very strange, when I asked for the qualifications of the instructor, none, just have you must be able to teach somebody who is in a lower class than you, that is if you are driving for the last three years you can teach somebody who is now going to learn to drive.

4.00 p.m.

Madam Speaker, I say this because when you look at what is happening in other parts of the world, when you look at—we are saying that we want to have a First World country, we want to ensure that we do not have so many road fatalities, so many people dying on the road. Is it that we have a lot of accidents and road fatalities because we do not have proper driver instruction programmes? Is it that simply a defensive driving course will work? And I will show you just now some of the recommendations and some of the things that have been done in this country that people are not aware of. What about the whole aspect of criminal record checks? What about police character certificates? You might have to get that before you become a driving school, a driving school instructor. What is this thing that we are talking about in terms of “Offences of driving instructor”?

We are seeing in this very Bill that we are talking here in terms of the attire of the taxi driver. My friend, the Member for La Horquetta/Talparo was saying some people drive with a merino and a short pants. I hope some of us know what a merino is. But is there not need as well for a dress code for driving instructors? Is there not a code of ethics as well we should develop for the driving schools? You simply cannot expect to have the quality of the outcome.

Madam Speaker, you know, all of us here would have gone to school at some time or the other? We are exposed to education and to training, and I have my own mantra about that. Education makes one trainable, training makes one employable and the right attitudes keep you in continuous employment. [*Desk thumping*]

And you know, there are many things that we can say about learning and this is an aspect of our lives in this country that we should protect, that we must learn how to learn; we must learn how to love; we must learn how to live; we must learn how to lead; we must learn how to leave a legacy.

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Madam Speaker, this aspect is so very important because if you do not have the right qualities for a driving instructor, what will be the learning outcomes and the quality of that graduate? If it is that a poor instructor who does not have the education skills or the application or the delivery; who does not even know how to communicate well; who does not know how to plan a lesson or a programme; who does not know the taxonomy of education; who does not know about the cognitive domain or the psychomotor skills or more importantly, and possibly most importantly, the affective domain. These are the things the Attorney General has to take into consideration, not simply continuing and punishing people and say offence \$2,000, [*Desk thumping*] 12 points for offences of driving instructor. What are these offences and what are we going to do to correct the situation? Or else what is going to happen, the data I read out early this evening, we are going to have increasing numbers, road fatalities will simply be a statistic.

You know I always say, Madam Speaker, that it is only when it happens close to you that you understand how it feels. A lot of people want to have vehicles and to own vehicles, they do not even understand how the vehicle works/operates, they do not even know about the speed, how to control it, a driving school will tell us so many things. And therefore, it is my view that this, for me, is an area of very grave concern. I call it the unregulated market of driving schools and driving instructors that impact upon the lives of our learner drivers and ultimately our licensed drivers.

Madam Speaker, if you ask anybody who went to a driving school and it is a school, apart from the permit, what are the courses you would have done at these driving schools? I have sufficient examples here from other countries that I can refer to and maybe I would refer to one later on, and one is Canada, but I will talk about that a little bit. But there is no certification involved for these driving schools. We have in Trinidad and Tobago an Accreditation Council of Trinidad and Tobago and that accreditation council, by virtue of an extension and delegated authority, conveys onto the National Training Agency, which really supervises and coordinates the vocational sector, occupational standards of competence that could be developed, and I will explain that a little more because I think the Attorney General came in at the right time for me to be speaking about this. How do we develop standards of competence to ensure that the quality of the driver graduate is such that they would be more articulate and I say articulate in terms of safer road users?

Madam Speaker, so there is no certification. If you were to look at what is happening in Trinidad and Tobago and other parts of the world, you will see that for us here and through the National Training Agency, a number of standards

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have been developed. And you know, one of the persons who was supervising the National Training Agency before was the Member for Diego Martin North/East, so maybe he is very familiar because he is not really paying any attention to what I am talking about, the NTA here.

Hon. Member: Never does.

Mr. F. Karim: But I want to say, I want to congratulate the work of the National Training Agency and I will tell you how. Madam Speaker, I do not think very many people in this country appreciate the fact that we have developed driving instructor standards. I “doh” think the time is right for us at all especially at a time when the hon. Minister of Finance is saying that there is a shortage of foreign exchange, that we should not be importing any persons from abroad to pay more foreign exchange when we have competent people, professionals, to be able to train to a professional driving instructor in this country. That is where we should be aiming at, a professional driving instructor. [*Crosstalk*] And I am being asked, what I am speaking about? I am speaking about improving the quality of the graduate to become a proper driver on our roads so that that person will not only be a better person in terms of saving their own lives, as the Member for St. Joseph indicated, but taking other persons in the vehicles.

And therefore, Madam Speaker, I just want to indicate for those who are unaware, that there is in fact a lead body. What is a lead body? A lead body, L-E-A-D, a lead body. It is sometimes referred to as an occupational area or sector advisory skills council like in the United Kingdom. And what is that? It is really where you have professionals who have come together to develop standards of competence in various occupational areas, and I can give you the example of which we are speaking about now with regard to this Bill.

The lead body for the development of occupational standards and in this case, there is a Trinidad and Tobago National Vocational Standard, Level Two develop for advanced driving operations, heavy and extra-heavy vehicles. And that lead body comprises, and I am sure many people in here will know this name, Nathaniel Douglas of Douglas Transport Consultancy. He was a former transport commissioner; Robert Knights of the Ministry of Works and Transport, Traffic Management Branch; Peter Gopaulsingh, CONDISEC 93 Limited Defensive Driving School, he is the chairperson; Annette Awuku, TIDD Group of Companies, and TIDD means the Institute of Defensive Driving; and Mr. Byron Thomas of the TIDD Group of Companies. Madam Speaker, all of them have come together to develop the following standards that govern the operation and that will be impacting upon driving schools and driving instructors.

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The competency standards for Caribbean Vocational Qualifications, and I know that the Member for Arouca/Maloney she always likes and she always admires when I speak about the CVQ and the CVQ is really a regional occupational standard. The point I am making to you is once our drivers are certified according to these standards, it is very easy from them to apply into any of the countries in the Caribbean. That is what makes it a regional occupational standard. Where it is only localized to Trinidad and Tobago, it is called a Trinidad and Tobago national vocational qualification.

And I should give you the list and I am sure that the Member for Arouca/Maloney will be impressed when I read out the amount of standards and the categories that have been developed so that driving schools in the future and driving instructors can be trained along these approved standards. So it is not simply [*Desk thumping*] a fly-by-night, it is not simply I get up in the morning and I want to open a driving school—[*Crosstalk*]

And therefore, the following standards I want to indicate that are available now for use: Advanced driving operations, light motor vehicle level 2 for class 3 vehicles; defensive driving instructions heavy, extra-heavy vehicle level for class 5; defensive driving instruction, light motor vehicle level 3, class 3; defensive driving instruction omnibus level 3, class 6; learner driver instruction, light motor vehicle where most people apply to be certified, level 3, class 3; learner driving instruction, motor cycle level 3, class 1; public transport vehicle driving operations, buses level 2, and these are like school buses, class 4. And the TTNVQ or the local qualification which has been approved and completed, advanced driving operations heavy, extra-heavy vehicles level 2, class 5. I am also advised that a driving and occupational standard for defensive driving is also being developed for the police and licensing examiners.

Madam Speaker, I want to move on to another area, but before I go on to details about some other aspects of the Bill, I want to say that it is easy for us to sit here or to stand here and to make contributions and to talk about the variants, 100 of these areas in the Bill in the Ninth Schedule which are identified for fines, demerit points or both of them.

The question often is, while this is a burden on the person who is driving, and this is their side of the bargain. I want to add to the discussion by my previous colleague who spoke, what about the Government's side of the bargain? What about the Government's responsibility to make sure that the road markings and the road signs are properly identified for us to facilitate driving?

Madam Speaker, I do not know if it happened to you, but certainly within the

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last few days, we have had, and maybe today as well, very heavy rainfall day and night, and if you were to try to drive in the night and to look for a road mark, it is very difficult and it could be very dangerous, you could hardly make it out, and sometimes people might be construed as driving under the influence, because they are swerving, trying to find their space in their lane, and therefore, they might also be seen as swerving on the road if they are trying to avoid pot holes.

Madam Speaker, right where it had a lot of flood on, I think, it is the Connector Road connecting the highway back to the Caroni, the bridge by the cremation site on the corner there. If you pass there now that road is in need of repair for the longest while and has not been the corner and people try to avoid going into the rough part and can find themselves into grave difficulty.

Madam Speaker, what about the railings, in other words, the barriers? Some barriers are concrete barriers, some are plastic, some are metal, some are cables and it “aint” have none at all in some places, in plenty places. Could you imagine the responsibility of the driver now, you are going to be looking at a driver and how he drives and the potential for accidents when the State has a duty and a responsibility of care for all the citizens of this country. [*Desk thumping*] Therefore, Madam Speaker, it is very important for us to ensure that we have the appropriate signage on roads.

Madam Speaker, in Canada, my friend made reference to what obtains aboard. In Canada, you will find that there is a blended approach, a blended learning approach to driver education. We are seeing in this Bill that you can pay online for your penalties. Well if you are paying online for your penalties, why “yuh doh” make online learning available to all the people who want to become road users or driving without licence? You could do that. Look it here. In Canada, you go and research it and you will see not only that, we have launched here through the University of Trinidad and Tobago knowledge.tt, it is an online platform. And I recommend strongly to the Attorney General that he considers educating road users, increasing the awareness campaign of traffic users in various aspects of motor vehicles operations. Use the platform, it is available.

About therefore, another opportunity for me seems to like what obtains in Canada. Why is it not possible for us even in our secondary schools where we have students who are now moving beyond the age 17 and 18, why can we not introduce some elective for persons who want to become early drivers? Why not? You know, you have to think beyond what exists now if you really want to make the roads and road users and our lives safe. You have to do things differently. You cannot expect that we will do it the same way and we will have a different

approach.

Madam Speaker, I want to get another aspect of the Bill that speaks about rehabilitation. On section 88N(3) it says:

“A person who is disqualified from holding or obtaining a driving permit may be reissued with a driving permit by the Licensing Authority where he—

(a) participates in a driver’s...”—

Madam Speaker: Hon. Member for Chaguanas East, your original 30 minutes have now expired, you are entitled to 15 more minutes if you intend to. And before you rise, hon. Members, can I have your concurrence that we will take the suspension at the completion of the contribution of the Member for Chaguanas East. Please, proceed, thank you.

Mr. F. Karim: Thank you very much, Madam Speaker. So, Madam Speaker, it says that it might be reissued, you might be reissued with a driving permit if:

“(a) you participate in a driver’s rehabilitation programme approved by the Licensing Authority;

That you will:

“passes a driving test; and”—that you will pay:

“the prescribed fee for the re-issue of the driving permit.”

But, Madam Speaker, the question one will want to ask is: What is this rehabilitation programme? As a matter of fact, I want to tell you personally that I found that, and this is just a suggestion to the hon. Attorney General to take into consideration whether we could have used another word or another phrase for “rehab”. And the reason is simply that when you speak about rehab, people and I have the definition, but people seem, it connotes some idea that somebody has an addiction of some sort, a negative connotation and therefore, it brands you, it affects your character, it affects your psyche, it affects your self-esteem. And I am wondering whether we could not have learned from other jurisdictions, for example, and maybe call the programme a remedial programme. In some cases like in Canada it is called “Back On Track” and you will have a certain number of hours that you go to your classroom or you have whatever kind of, again the rehabilitation is not the concept I am looking at, but the remediation, how do you move from where you were and how do you become better at what you should be.

And I want to ask the hon. Attorney General to give that some consideration

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because in our country when you hear things like these “rehab”, the first you think about is Caura, somebody gone up there or Ward 1. I think we should probably not only because other countries might use the word rehabilitation, but if we can use something that will connote something, as I indicated, that will be remedial, it might be very useful.

Madam Speaker, I want to deal with some other matters in terms of the potential for corruption, some of which would have been raised by my colleague.

“Clause 6 would amend section 10A of the Act by increasing the penalty for failing to comply with the directions of, or obstructing a Traffic Warden.”

And my colleague, the Member for Oropouche East raised this matter.

But I simply want to ask some questions in addition to what my colleague raised. Why is there the need for a drastic increase in the fine of \$9,700? This could lead to over-zealous traffic wardens being tempted to threaten drivers with this fine in order to bring them in line and with their thinking. Has anybody—I want to ask the question, Madam Speaker—has anybody ever been charged with the current fine and not pay it? So what is the reason? Is it that you are paying \$9,700 more to gain better respect? What is the problem with the existing fine?

Madam Speaker, I want to raise another with respect to clause 11 that would amend section 23 of the Act to make the obscuring of the inside of a vehicle through the windshield or windows a traffic violation.

And the question is: Is this going to be done as it is being done now that they are trying see? Madam Speaker, the reality is, when it is cloudy and when it is raining, you “cyar” really see inside that vehicle even though you have the legitimate tint. And the question I want to ask is: How is this going to be measured or tested? The widely used law enforcement method is by light transmission meter. That is what applies in developed countries which gives a percentage ratio of the window or windscreen with the tint to that without the tint.

The popular measuring device is called a tint meter model 100 by Laser Labs Incorporated, and I am just giving the brand, I am not saying that that is the one you will want to secure. Arbitrary visual checks by the authorities have to be prevented in order to reduce the potential for corruption and bribery.

Madam Speaker, the Act is amended further in terms of traffic signal violation after section 66. The following new Act section 66A where:

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“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.”

Madam Speaker, when I used to have to come to Port of Spain to my office every morning, every morning at a certain time or most mornings or almost every morning you will find an ambulance with a siren coming from south to north and everybody has to move on the side. What about if that siren is illegitimately being used because you have workers there who you are taking to the Eric Williams Medical Sciences Complex? Who is going to take that person to task? Is that person going to be liable to any fine for disrupting the flow of traffic? Why should they be exempted, because it has a sign marked ambulance? No. I do not think so. I think that is something that we should reconsider.

“An owner may file a Notice to Contest on the grounds that at the time the traffic violation was committed—the motor vehicle was stolen; or he is no longer the owner having duly registered a change of possession of the motor vehicle in accordance with section 19(1).”

Madam Speaker, I want to ask some questions. Question one: What if the registration number of the vehicle photograph is illegitimate? Who are you going to send that penalty, that fine to? Are we going to have the system so up to date? Perhaps criminals could make a series of illegal license plates. I know that the hon. Attorney General made reference to it in his opening presentation, that he will—

Hon. Member: That was a suggestion—

Mr. F. Karim: No. [*Crosstalk*] I am saying that I am asking questions with respect to the Bill—and use them at roadways at night. How many persons, and as I was talking about driving instructors and so on, of these accidents and fatalities I mentioned this evening, how many persons have been trained ever in this country to drive at nights; how many? None. And I will tell you what. Sometimes that is a lot of the times when the accidents do take place and fatalities. So when I talk about the whole concept of the driving school and the driving instructor, it has to be carefully and closely looked at and re-examined.

Madam Speaker, emergency vehicles are permitted to override the operation of traffic signals. Suppose while using the green light, a driver is overridden from the other approach by an emergency vehicle; and the subsequent data shows that

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the driver using the intersection when overridden went through a traffic light? Could that be a grounds of Notice to Contest? These are the realities of the road. Will there be also certification and proof that the traffic signals were operating efficiently at the time of the photograph incident? Who is going to certify these cameras? You go into some elevators you see a sign, you see a certificate when last inspected. How do we know that these things are going to be continuously monitored and certified and efficiently and effectively operating; are you going to be penalizing people for your incompetence; and sending them now to contest a situation, because you are not doing your work effectively?

Madam Speaker, I want to go to a next area called vehicle inspection which is focusing on quality testing. The Ministry of Transport, United Kingdom has a test for roadworthiness commonly referred to as the MOT test it includes testing of batteries and tyres. I mean, this reminds me of a situation that happened to my parents many years ago. They were driving along the Beetham Highway and my father was pulled off the road and given a ticket for what?—for tyres. And you know when he asked the question: “So why you give me a tyres?” The policeman told him, “We have this vehicle number and we were looking for it a long time.”

There are things like that that happens in this country. If you had any infraction with any police officer or anybody in the law enforcement agencies, they can find opportunities to charge you wilfully and you have to go and contest. Your horn not working; your wiper not working; your lights not working. And I agree with my colleague, could it not be that we could give a notification to you to get it repaired and in 48 hours, you present it to a police station and you have it corrected?

Madam Speaker, the whole concept of vehicle overloading. I know that the hon. Attorney General made reference to the fact that he was looking at the Jamaican situation and the acronym that was used or the slogan is that we are going to be building the plane while we are flying the plane. [*Desk thumping*] Well, the only plane I really remember is one that we landed at Camden, when I gave the slogan “From cutting cane to flying plane”. We are flying plane in the air, [*Desk thumping*] but when you see some vehicles pass you, we does remark in our own vehicles, “like dey flying low”.

And you know what, Madam Speaker, it is not only about the fines, you know, and the penalties and the punishment, and the enforcement is the key. Who will enforce these laws? Who will ensure that these things are enforced? Are we going to go to clog up the system further? And I know that the hon. Attorney General said that they had some suggestions and some ideas as to how we are

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going to efficiency in the system. Well, all those things are very good, but if we do not have the manpower and the resources, as everything that we are talking about in this country now, is starving for resources and people. And therefore, I want to suggest strongly to him, that even a concept of vehicle overload is very important.

Section 97(2) deals with the whole aspect of vehicle overload. And one of the things that we will want to look at in the concept of this vehicle overload is improved regulations, and the kind of permits for overload. You see sometimes people in the back of a vehicle and they have to get permission from the Licensing Authority. All of these are very critical when we are reviewing this whole aspect of the law.

And, Madam Speaker, as I conclude, I want to just say, that the problem is not the laws, it is the enforcement of the laws, and we must make the human and the financial resources available to ensure that we have trained, certified, competent people on our roadways to save our lives. I thank you. [*Desk thumping*]

Madam Speaker: Hon. Members, we shall take the suspension now. We shall return here at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

The Minister of Finance (Hon. Colm Imbert): [*Desk thumping*] Thank you, Madam Speaker. I have noted the contributions of Members opposite, in particular the contribution of the Member for Oropouche East, who is absent, and as per usual that hon. Member played to the gallery and put a number of inaccuracies on the record, which I must correct. With respect to this legislation, Madam Speaker, the amendment Bill, the Motor Vehicles and Road Traffic (Amdt.) Bill, 2017, I have gone through all of the clauses in this Bill and the only large increase in penalties that is of significance is the penalty for failing to comply with the directions of a traffic warden. And that was indicated, I believe, by the Member for Chaguanas East, but he failed to understand the context. But, I really need to speak about the Member for Oropouche East and the political mischief that he put into the system.

And, let me start with the requirement for seat belt which was introduced by Act No. 226 of 1994. Introduced by yours truly as Minister of Works and Transport 13 years ago. So, it has been the law of Trinidad and Tobago that drivers of motor vehicles are required to wear seat belts. Actually it is 23 years ago that I introduced that Act. Twenty-three years ago, not 13, [*Interruption*] “ah

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tell yuh” and we will come to that. I will explain that. So, at every point that the People’s National Movement has made adjustments to the Motor Vehicles and Road Traffic Act, there has been a paradigm shift in culture and in behaviour. [*Desk thumping*] The requirement for child restraint—I was particularly disappointed in the song and dance that we were treated to by the Member for Oropouche East.

Hon. Member: Why?

Hon. C. Imbert: Carrying on—no, but what I found terrible, Madam Speaker, was that he carried on at a rate about the requirement of a booster seat which is required for a child between the ages of four and five. And that requirement for a booster seat was introduced with other requirements for child restraints by Act No. 5 of 2010, in April 06, 2010, again by yours truly as Minister of Works and Transport. [*Desk thumping*]

And my memory tells me that the Member for Oropouche East was a Member of Parliament in April of 2010. My memory also tells me that when I piloted that particular amendment to the Motor Vehicles and Road Traffic Act in 2010 just before the general election, it received the unanimous acclamation of the House of Representatives and all present voted for it, including all Members of the UNC at the time. It is shameful and shocking that we have had a requirement on our law books for seven years for booster seats for children between the ages of four and five, and yet the Member for Oropouche East would come in this Parliament today, seven years later, and quarrel and say, “Poor people can’t afford to buy a booster seat.” Seven years, including the entire five years and three months of the UNC Government, that law was in effect for a booster seat. It is shameful!

The breathalyser Act, Madam Speaker, again I had the honour and the privilege to introduce Act No. 19 of 2007, amending the Motor Vehicles and Road Traffic Act as Minister of Works and Transport once again, introducing the breathalyser into Trinidad and Tobago, and subsequent to the passage of that Act in 2007, we trained the technical personnel, and we acquired the breathalysers and we fully implemented that law in 2009. And you would be very interested to learn, if one looks at the statistics for road traffic fatalities since the introduction of the breathalyser, under a PNM administration in 2009, and again I had the honour to be the Minister in charge of that legislation. In 2009, there were 222 road traffic fatalities, and after the introduction and implementation of the breathalyser in 2009 that number systematically decreased down to 206 in 2010; 191 in 2011, down to the present day 2016 of 135, a 40 per cent reduction in road traffic fatalities since the introduction of the breathalyser by the People’s National

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Movement Government. [*Desk thumping*]

And therefore it is a fallacy. It is a fallacy to say that the introduction of laws will not result in a behavioural change. It is simply not true. The statistics speak for themselves. We went from 222 road deaths in 2009, before the implementation of the breathalyser, to 135 in 2016. And I must compliment, there is a particular individual in San Fernando, in the Magistrates' Court, who seems to have an interest in this matter, and is very diligent in dealing with transgressors, and certainly his actions and the actions of others in the judicial system have been responsible together with us as a legislature in the reduction of fatalities from 222 to 135.

The other thing I found shocking was that the Member for Oropouche East, who claims to have a law degree, who alleges that he attended the Hugh Wooding Law School.

Hon. Member: Really?

Hon. C. Imbert: You can have a piece of paper, you know; you do not have to attend, you know. You could have a certificate, you do not have to sit the exam, you know. But, the gentleman indicates that he has a law degree. I am not going to argue with him. I am not going to argue with him. He alleges he was called to the Bar. I am not going to argue with him. But, I never see him in even a fowl "tief" case. But let us forget that.

Clause 9 of the amendment Bill before us, the Member for Oropouche East was upset over clause 9 of the amendment Bill, which seeks to amend the liability with respect to the owner of a motor vehicle as opposed to a driver. But it is regrettable, and shameful, and shocking that in carrying on and ranting and raving about this clause, which reads as follows that:

"...the owner of the motor vehicle is responsible for any breach of this Act..."

That the honourable learned attorney from Oropouche East forgot to read the last few lines, and I shall read the last few lines into the record. And then for the benefit of the hon. gentleman, I would explain what it means. The last few lines are:

"...the owner of the motor vehicle is responsible for any breach of this Act or those written laws which involves the use of his motor vehicle..."

—so far so good. That is what he was ranting and raving about, but he forgot these words:

"...and which is imputable to him as the owner."

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Does the honourable gentleman understand the meaning of the word “imputable”? It means that you have to be responsible. You have to have control over the person who is using the motor vehicle. In other words, you must have, of your own free will, given the motor vehicle to someone, or you are in the car and allowing another person to drive it, or you have taken responsibility for another person driving the vehicle. And that is trite law. [*Desk thumping*] That is trite law. How could he not see those words, “imputable to him as the owner.” It is not a whimsical clause. It is not an open-ended clause. It is circumscribed by the words, “imputable to him as the owner.” [*Desk thumping*]

And therefore, Madam Speaker, the only clause that I myself would require the Government, of which I am a proud part, to give consideration to is proper training for the traffic wardens. Because you are now elevating the traffic wardens’ status to that similar to a police officer in terms of the failure of a driver to obey the instructions of a traffic warden, where currently the fine is \$300. It is now being increased to \$10,000, which is similar to the fine that is imposed on someone if they disobey a police officer. So, I would expect that as a responsible Government we will ensure that the traffic wardens who will implement this new law will be adequately trained—will receive training at least comparable to that of a police officer in the enforcement of our traffic laws.

And there is nothing else in here, Madam Speaker. Everything else is either in the existing law, or is simply a minor modification of the existing law. And what I find also shocking, is the amnesia on the part of hon. Members opposite. Because in 2013—with all that gallery and “gran charge”—the previous Government amended the Motor Vehicles and Road Traffic Act, they amended section 42 to increase the fines for a breach of section 42 from \$500 to \$750. A breach of section 62 from \$4,000 to \$6,000, a 50 per cent increase for a breach of section 70 which is to deal with the use of alcohol, they increased the fine from \$8,000 and \$15,000 to \$12,000 and \$22,500—

Mr. Al-Rawi: That was 2015.

Hon. C. Imbert: No, it is them. It is them that did it, 2013. This is the Finance Act of 2013. It is them. It is them self. And section 70A(2), they increased the fines from \$8,000 to \$12,000 and \$15,000 to \$22,500, respectively; 70B(5), they went from \$8,000 to \$12,000; 70C(6)(c), they went from \$8,000 to \$12,000; 70C(6)(d), they went from \$15,000 to \$22,500; 70E(1), or (1), they went from \$8,000 to \$12,000 and \$15,000 to \$22,000; and section 90 from \$2,000 to \$3,000.

So, Madam President, that is just political hypocrisy on their part. [*Desk*

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thumping] Political hypocrisy. Very few new offences have been created here. The booster seat has been around for seven years. Seven years, and yet you come in this Parliament and try to fool poor people into thinking that this PNM administration is introducing child restraints and booster seats for the first time. Vast majority of these offences have been in law for 20 years, but yet you want to come in this Parliament and tell the public about the things that the PNM is doing, when it is simply not true.

So, Madam Speaker, I really do not understand what hon. Members have been spending all this time talking about. I went through every single clause and there are minor adjustments here and there, some penalties have been reduced, some had custodial sentences which are being taken away. Some prison sentences have been removed and replaced with a fine. That is a positive, that is not a negative—

Mr. Young: Unburden the courts.

Hon. C. Imbert: Exactly, and then the red-light system, it is used in—every developed country has a red-light system, a traffic camera system. How could one ask, “Where yuh go put these things? Whether yuh go put it on a back road?”

Mr. Young: You called him and asked?

Hon. C. Imbert: No, how could one ask.

Mr. Young: Oh, sorry.

Hon. C. Imbert: I am sorry if it came across a different way, Madam Speaker. [*Laughter*] How could one ask, “Where yuh go put these things?”

So, in any serious country you expect us to put a red-light camera on “ohee-oheo or some lil back road where it hah two cars passing every hour”? No, Madam Speaker. It is clearly those intersections which have a history of accidents, a high volume of traffic, a high record of traffic violations, a high level of risk. Obviously, if you drive through any developed country—I have just come from Europe—and as you drive through the GPS system that you have now will tell you when you are approaching a red-light camera. It will come up on your screen and it will give you a warning, red-light camera system 500 metres away. It will tell you what the speed is, and if per chance you might be a little over the limit, you slow down and you go through, but it happens like every five kilometres, every 10 kilometres.

It is not every single traffic light that you have this thing on. Why on earth would anybody propose or presume that in Trinidad and Tobago we are going to put a camera system on every single traffic light. It is absurd. [*Interruption*]

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Yes, why would we put a red light—

Mr. Al-Rawi: Calculating the mathematics to half a billion dollars.

Hon. C. Imbert: It is an absurdity, Madam Speaker. So that this is just a natural progression, this law that we are debating today is just a natural progression, an evolution of the motor vehicle and road traffic system. It is simply following in the line of safety measures that have been introduced, as I said, seat belts, child restraints, breathalyser—I heard the Attorney General talk about testing for drugs, and also we have introduction of speed detection devices, now we are going to have red-light cameras and so on. We are simply evolving and becoming a more sophisticated society, and as the record shows, as you introduce these reforms you have improvements in driver behaviour, reduction in road fatalities, and all in all, a better Trinidad and Tobago.

Thank you, Madam Speaker. [*Desk thumping*]

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much. Madam Speaker, I wish to make a few points on the Bill. I understand the need to have strong sanctions against those who violate the law, and I think most right-thinking citizens will understand that if there are laws and you break the laws, there should be a cost for breaking the law.

But, like everything else, there must be some logic to it, there must also be some kind of rationale which justifies it, and there must be some proportionality in relation to other laws, and in relation to violations and the consequent sanctions. And, I am not saying that the law is illogical. There is a lot of logic to it, but there are things here that can be a little disconcerting. I am not saying that there is no rationale for what is going on, and I heard the Member for Diego Martin North/East—I do not know why he was a little agitated today. I mean, it is a Parliament. So, our point of view is really to express our point of view—

Mr. Imbert: Speak untruths.

Dr. B. Tewarie: Okay. No, no, we do not speak untruths on this side. But when I came in the Parliament you were a little agitated. But we have no big quarrel, we have issues that we want to raise in the Bill.

I want to say something about the Bill though and its antecedents, and rather than say it from my own memory, I will use the report of the Auditor General for the financial year 2016. And the Auditor General in his department, they are quite succinct on page 39, where they say that:

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“On 24th June, 2010, Cabinet agreed to the construction of a Head Office and an Access Centre at Frederick Settlement, Caroni for the proposed Motor Vehicle Authority.”

Secondly:

“The National Insurance Property Development Company Limited (NIPDEC) was later appointed as the executing agency under a \$339Mn Fixed Rate Bond was issued to finance the project for construction of the Head Office and six Access Centres.”

So, this was a project that involved physical infrastructural laws as well as technological evolution, and the annual transfers of \$17-plus billion from the Ministry were made to NIPDEC—this is every year—with effect from the financial year 2013, when this began.

“A status report as at February 2016 revealed that the total project cost was \$275,957,973.17. Construction of the Frederick Settlement Head Office and Access Centre had been completed, and the keys for the facility were ready for handover to the Ministry.”

So, this was done. It was done lower than the bond that was raised. It was ready and finished.

“The Motor Vehicles and Road Traffic Bill, 2014”—however—“introduced in Parliament on 19th November, 2014 lapsed on 17th June, 2015...”.

I remember that Bill because I made a contribution to it in this Parliament. I was in the other place, but I did make a contribution to it.

“As such, the proposed Motor Vehicle Authority has not been legally established via the requisite Act of Parliament and therefore has not yet formally come into existence.

The building is now occupied by the Transport Division.”

Now, this is important because it really explains how we are now here, and we take the Attorney General at his word, which is that, he said that the Bill that we brought was too all-encompassing, and it tried to do too much in a single Bill, and therefore it was cumbersome, and what he has tried to do alternatively is to take the view of doing sections or pieces at a time in order to get the ultimate result that we were seeking to do, which was an overhaul of the system, a technologically driven system, a system rooted in laws, and a system that was efficient and effective and had the human resource capability and the physical infrastructure in order to do that well.

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Now, having said that, I said that we could not, in 2014, be doing that in Parliament, and come in 2017 and say we are opposed to what the AG is doing. So, the question does arise, what are we concerned about if there is some continuity, even though there is a difference in approach? What is it that we are concerned about? And I will mention a few things that we are concerned about. Okay? The 2017 Bill that is being debated now, seeks to introduce a system of traffic violations for certain breaches, and it says so at the outset of the Bill:

- It seeks to provide for the implementation of a red-light camera system.
- It seeks to provide for a demerit points system.

And all of these were in the 2014 legislation.

There is no difference here, therefore, in terms of intent, and there is no difference in terms of objective. What I would say though, is that notwithstanding the Attorney General's statement that basically they were taking a piecemeal approach, and I do not mean that in any derogatory way, he is saying that he is basically dealing with it segment by segment. Ultimately, it will attain to holistic approach that he will eventually seek to attain.

The problem I have here is whether in fact such as we have done here in this Bill, or such as the AG is doing here in this Bill, is sufficient in two ways: One, in terms of what it includes, and how it includes them. And secondly, by what it leaves out, and therefore what it does not contain in the Bill. And I feel that it is an important enough point for the Attorney General to address, when he makes his winding up, and I shall be grateful if he would indicate, whether in fact this Bill does in fact include enough of what it should include at this point in time, and whether in fact a lot of what it leaves out does not create for us a problem that might come to haunt us at some particular time.

The second point that I wish to make about the Bill is that I do not know how much—we brought the Bill in 2014, but there is a time lapse between 2014 and 2017—and I do not know if the Attorney General—I do not remember him saying it in his initial presentation—whether he had consultations on this. I imagine you would have to talk with the maxi-taxi association, the law association, and I know that the Attorney General did say that he met with the law association, but I do not know how much consultation there was. And I would think that if you want laws to be effective you would want people to understand your thinking, your rationale, your logic, your intention, the degree to which this thing is proportional and reasonable, and you would want to get buy-in in the Bill because, I mean, that is how laws work. You do not impose laws on people, you get them to

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understand the objective of it and you then engage them in a certain way.

Now, this Bill also deals with a number of pieces of legislation. For instance there are things like the Motor Vehicles and Road Traffic Regulations; the Road Traffic (Prohibited Parking) Order; the Private Motor Cars (Parking Places) Order; the Public Stands (Motor Omnibuses) Parking Order. And, the question is, does the establishment of this piece of legislation and its eventual passage in both Houses of Parliament, does it affect these others? And, how does it affect it? Or, what is the relationship between these various pieces of legislation and this particular Bill, and what does it mean for the citizen? I think that is something that the AG might want to address also in his winding up, in his closing.

Another issue that I want to flag is the issue of the powers of the Minister. Now, do not get me wrong, Executive is accountable to the Parliament, that is true, but you cannot have Ministers operating without executive authority. And I understand that a Minister needs to—whoever is the Minister, and I am talking about the office—have some kind of flexibility, some kind of authority in order to exercise that executive authority.

5.30 p.m.

But there are many instances, for instance, where it says the Minister may from time to time by order do so and so. And I think that that is something we need to look at. You know, is that the right way? And should you come here with negative resolution? Should you come here with affirmative resolution? Should we consider those kinds of issues? So, for instance, the Minister may, from time to time, by order, add any traffic violation to the Ninth Schedule and prescribe in relation to that traffic violation a fixed penalty not exceeding \$5,000. So that the Minister may vary, just like that, and the Parliament is not part of it.

As I said, I am not trying to interfere with the concept of executive authority. I am just flagging the issue that it is by order that these things are done. Having said that, I do want to say that there are instances in which the Police Commissioner also has the authority to—is it the police? Yes, the Police Commissioner does have some authority as well and I understand that, but I think that it is something that we need to clarify in terms of this particular Bill.

And I want to make a point, I think that some of my colleagues on this side have made it, and that has to do with—is the real intention of the Bill—and I am not accusing anybody of anything. Is the real intention of the Bill, a taxation Bill? That is to say, a Bill that creates the condition for generating revenue from tax violations and together with that, do you have a situation where, because of that,

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the fines imposed are too high? And not in all instances—I mean, the Minister of Finance indicated that certain amendments were made before in 2013 and fines were increased and what he has said is true. But can we justify for instance, and I do have a problem with the fine of \$10,000 for not following the instructions of a traffic warden.

Now, I feel that is problematic. You are creating a new group there that are not part of the public service system. I do not know what is the level of accountability that is required? I do not know to what extent there can be interference in the contractual hiring process of these people and therefore how these things can be used. And, I am a person who—I am very alert when it comes to how you interfere with institutions and how you create institutions and how you address the question of power relations with those institutions, because of how it can ultimately affect constitutional issues, how it can ultimately affect the rights of individual citizens and how power can be abused in the system.

And as I said, I am not accusing anybody of anything but I think that this is something that we have to be careful about. We cannot have people who are contracted officers simply going about the place and charging you \$10,000 if they give you an instruction and somehow they feel that you have not followed that instruction. I think this is something that is worthy of consideration and something that we should pay attention to and we should try to understand why someone would be uncomfortable with that particular issue or clause in the Bill of giving that kind of authority to a traffic warden.

The Minister mentioned—that is to say, the Member for Diego Martin North/East—mentioned that they are going to put them through some kind of training programme, and he said that simply by way of signaling that he might want an amendment to that particular clause in the Bill. But I think it is something that needs consideration beyond the issue of training. Do you want to put that authority and that level of fining power in the hands of someone who is not a police officer or designated for the purpose by the authority of the public service.

Now, the other thing that I want to mention here, besides those five points that I raised, is the issue of the Transport Commissioner and the office. And I do not know how these traffic wardens are going to operate, and how they are going to be aligned to which office, or how when you give fines they are going to operate and I know that the Transport Commissioner's office also has the authority to impose fines and to act within the law in this particular Bill. But when you read the Auditor General's Report again from 2016, and I look at page 55 under

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Transport Commissioner, Ministry of Works and Transport, the Auditor General and his staff say:

“Several constraints were encountered in an attempt to verify the accuracy of figures reflected on the Statement of Receipts and Disbursements, as the Revenue Records were not properly maintained as required by Financial Regulation 55. Details are as follows:

- Machine generated receipts issued were faded and illegible in some cases.
- Cash transactions were recorded on numerous loose pages which were not filed in chronological sequence. They were strewn at various locations within the office wherever space was found, such as under counters and in the storeroom.
- Monthly cumulative totals were not recorded in the Cash Book for each of the 43 items of revenue.

A difference of \$15,600,891...was noted between the total revenue on the Treasury Card of”—138 statement—“and the Statement of Receipts and Disbursements of”—123,216.

This is a difference of \$15 million that are not reconciled in these records of the Transport Commissioner. This is in the year 2016.

So I am saying that it is one thing to try to raise revenue, and it is another thing to get the accuracy and to actually get the receipts. So it is one thing collecting the money, secondly, making sure that that is accurate, thirdly balancing the books, and this is the system that we have, certainly in the Transport Commissioner’s office.

So, Madam Speaker, I have simply raised some of the issues that I think that need to be addressed. I hope the Attorney General will respond to some of them. I noted that several of the Ministers on the other side, speakers of the other side said that this Bill is a solution to a lawless society and I do agree that we have a problem of lawlessness in this society. I do agree that we have a problem of enforcement of laws in the society and I think that we do have a problem of trying to ensure that we are a law-abiding society and that the key to that is the business of enforcing the laws. But that does not mean that you need to make the laws necessarily harsher or more punitive. Okay?

There is a difference between enforcement and an enforcement system that works and gets the results and achieves the objectives stated by some of the Ministers of changing behaviour and a system in which you simply increase the fines or strengthen the penalties because you think that itself will be the deterrent. You know, I mean, we could take this to any aspect of crime in the society and I

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will not go there now, but any aspect of crime and you have strong laws, you may have strong laws, yet at the same time the lack of enforcement is what in fact causes the problem. So that is where we need to spend more of our attention rather than on the increase in penalties.

Now, several of the Ministers and the Member for Diego Martin North/East also raised that when I came in, the issue of behaviour change, behaviour modification and it is not—laws do change behaviour. That is true. If you have a law it will help to change people's behaviour, they might be much more responsive, but the most important thing than that is whether there is vigilance in relation to law, that is the first thing; and secondly, whether there is again enforcement and some predictability about the enforcement. For instance, one of the reasons people commit crimes in this country is because they feel that nine times out of 10 they can get away with it. And unless you have a system that can ensure that people feel that nine times out of 10 you will not get away with it, you are not going to have the behaviour modification. And I wish to reinforce that point.

This is also being touted on the other side as a crime-fighting tool. If you extend that argument as far as it can reach, you could probably justify the argument. But I do not think you can justify the argument in the context of the limited reach of this law in relation to traffic violations and the series of violations that I identified, and there is no direct link—although it is possible by managing traffic laws you can deal with other forms of criminality—there is no direct link between the management of traffic laws such as these, and they being able to deal with the issue of crime fighting per se in the society.

I think we have to look more generally at the issue of rewards and sanctions. I think in any society you have to have incentives, the insurance companies understand that. For instance, if they find a pool of people who do not make accidents, they reduce the premium that that pool of people have to pay. So, for instance, if they find that women are better drivers, or women between the age of so and so, or they are more careful drivers, they will reduce the premium for them. Or if they find people of a certain age or people with a certain length of time of having a licence tend to be safer, non-accident-prone drivers, they may again introduce rewards for those people.

And again, your system has to be one of both rewards and sanctions and a society of rewards and sanctions, just like a system of rewards and sanctions in a company or in the public service, really works better than a system of sanctions

only. All right? And a system of sanctions, without enforcement or without the predictability of likely enforcement of the law, more rather than less is not going to make any difference in terms of the observance of laws or the achievement of the objectives.

The final point I want to make in relation to this, a general point, is that we must not forget that when we make laws that we operate within a constitution and in this Constitution is one that operates in the context in which a lot of rights are given to the individual as a citizen. That is to say, citizenship has some value and the Constitution gives value to that by yielding a lot of rights to the citizens. And therefore we must be careful when we make laws again that we do not create the conditions where we are likely to deprive the individual, the individual citizen of rights that he or she should feel that they should reasonably enjoy. And I simply say that as a general point, I do not want to use any specific example and I am not accusing the Attorney General of bringing a Bill that deprives people of their constitutional rights, but I am really raising the issue of balance in the making of laws and in the practice of laws in our society.

I will not be much longer, Madam Speaker. I have made the points that I mentioned before, which is that the issue of the power of the Minister needs to be looked at. I ask the question of how many pieces of legislation are being affected by this. I ask the question about consultation and I ask the question about the proportionality of some of the sanctions, some of the fines that are involved here and I did raise the issue of the traffic wardens and basically indicated that it is not only a question of training it is a question of how they are hired, how they function, whom they report to and I raise the question of money. And not just the issue of whether this is a Bill simply to raise taxes or to raise revenue, but a Bill also which cannot—may lead to lack of accountability of some of the receipts of the revenue and I used the particular case of the Transport Commissioner's office.

There are other issues here that are by no means minor. For instance, the assessment of a person's physical ability to drive and to be able to manipulate a vehicle. I do not know what this means for people who are disabled or who are handicapped in some way and I do not know how that judgment is made by a police officer or by a traffic warden. I would think that what you would require is some kind of medical assessment of the fitness to drive and once that is satisfied nobody else should really interfere in the process. And I am concerned about that too because I think there could be a violation of rights of certain categories of citizens and I do not think that that is what we want to do in the Bill.

Another argument which has been raised here, I think by the Attorney General

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himself, might have been, in passing, the issue of the management of traffic. I think you raised—[*Interruption*]

Madam Speaker: Member for Caroni Central, your original 30 minutes have now expired. You are entitled to 15 more minutes. In no way meaning to restrain you, just to let you know that at six o'clock we take the definite matter. So you may proceed.

Dr. B. Tewarie: I will complete before 6.00 p.m., Madam Speaker. The whole issue of traffic management, I want to say categorically that the issue of traffic management cannot be addressed simply by laws. That has to be dealt with by, first of all, a [*Crosstalk*] decentralized approach to—[*Interruption*]

Madam Speaker: I would like to hear the Member for Caroni Central, please. Please continue, Member.

Dr. B. Tewarie: It has to be dealt with by a decentralized approach to development in the first place which would then create the condition of many poles or centres of growth and human, commercial and economic activity and business and public administration. And on the basis of that and on the basis of the principle that people might want to work closer to where they live and that people might want to hire people who live closer to where they live, simply for logistical ease, what will then happen is that you will have a dispersal of traffic in a different kind of way. And what that then also means is that it would require a different system of governance which brings government closer to the people, in addition to central management of an economy or a polity or a society that then allows the society to function in a certain way, because you need things for the whole society and you also need things for sections or regions of the society depending on what their assets and liabilities are in those various parts of the country.

So I want to say that to use this piece of legislation as a solution provider for the ease of traffic and for traffic management is not a very sound argument and it is not something that I would push or pursue and in fact I do not think it will add that much value to the business of traffic management at all.

There may be one or two more points that I can make but I think that I have said enough on this particular subject and this particular Bill. As I said, what I try to identify are those areas in which I have a concern or a difference of opinion and as I said there is some continuity between the 2014 legislation and this one, but the vast, vast difference is that we went for a holistic Bill that was very comprehensive in nature, and what the Attorney General has done was to segment

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the Bill in a certain way and I am asking the question whether this is enough at this time and whether many of the things that they left out might not cause some problems as we go forward. Thank you very much, Madam Speaker. [*Desk thumping*]

The Minister in the Ministry of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): [*Desk thumping*] Thank you very much, Madam Speaker. Madam Speaker, we have sat here for hours, both last week and this week and I have listened diligently to the contributions by all, and in particular my colleagues on the other side to really try and get an understanding, so during my contribution I could try to explain to the right-thinking citizens of Trinidad and Tobago what exactly it is that is detaining us here during the course of this debate.

I have heard the most interesting, I was going to say ridiculous submissions, that this is really a Bill to raise income and an attempt at taxation. Those on the side, they have been going on and on and on about, you know, these fines have gone up and these fines are only going up so you could raise income, et cetera. And I have struggled with it, to be honest, Madam Speaker, and I will apologize to the right-thinking citizens of Trinidad and Tobago, because I just cannot seem to understand the concept.

The only way a fine becomes payable, the only way any citizen of Trinidad and Tobago becomes susceptible to having to put any money out of his or her pocket to pay a fine is if you break the law. So all we have been hearing from the Opposition, the vast majority of it on the other side is, why you doing this for the poor people? People are suffering outside there and you are increasing fines. Completely skipping over that the only way you become susceptible to having to pay a fine is by breaking the law.

So they are saying, [*Crosstalk and desk thumping*] right, and they keep going on now about the spiteful police and the most objectionable suggestion being made about the behaviour of the public servants who are traffic wardens that they will now utilize the fact that there is a higher fine to engage in corruption. So what is being suggested unfortunately by those on the side about public servants is that because we have increased the fines, traffic wardens will now go to someone and say, you have broken a red light, you are parking in a wrong zone, you are susceptible now to a fine of \$1,000 and God alone knows what it is they are implying.

Madam Speaker, on behalf of the public servants of Trinidad and Tobago and

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in particular the traffic wardens, we the Government would like to say, we have faith in you the public servants to do what is right and to carry out the law. [*Desk thumping*] Ignore those on the other side and the allegations they make with regard to your ethics, your integrity and judging everyone else, may be, by the standards that they apply.

Another submission we heard a short while ago with respect to the traffic wardens is interference with hiring. I heard my learned colleague, the Member for Diego Martin North/East, talk about political hypocrisy. That is immediately what came to mind, interference with hiring. Madam Speaker, there has been no instance in the last 20 months with respect to traffic wardens and the hiring of traffic wardens and there being interference by the political directorate.

Madam Speaker, what this legislation is about and, again, the hon. Member for Diego Martin North/ East made the point and I would like the opportunity, Madam Speaker, through you to reinforce the point. Citizens of Trinidad and Tobago do not buy into the constant fearmongering, do not buy into the misinformation and the misleading comments being made, unfortunately, by my friends on the other side. There are no new offences being created. So we heard it in the other place, we have heard a little bit of a repeat here; fortunately those on the other side have not pushed the point, but citizens of Trinidad and Tobago there is no creation of any new offences via this Bill. You see, implementation and I will get to that in a short while, Madam Speaker. But we heard the hon. Member for Diego Martin North/East say in his contribution that under him, he introduced the booster seats—

Mr. Imbert: Seven years ago.

Hon. S. Young: Seven years ago; this has been the law of Trinidad and Tobago and it was implemented.

Mr. Imbert: He voted for it.

Hon. S. Young: And I remind the citizens of Trinidad and Tobago, now that the Member for Oropouche East is actually in the Chamber, at the time when this was created seven years ago—i.e. that booster seats became the law—it was passed unanimously and the Member for Oropouche East was there and at the time he did not talk about it having any effect on poor people.

Mr. Imbert: He say it was a good thing.

Hon. S. Young: So the constant politicization of this—and all this is, is an increasing of fines and fines that only become applicable when you infringe the

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law, when you break the law is when you become susceptible to these increased fines. So I stand here to assure the citizens of Trinidad and Tobago there is no need to be fearful. [*Interruption*] Abide by the law and I hear the Member for Naparima with his spinning, spinning, spinning. His jaw is constantly spinning, Madam Speaker—spinning left, spinning right, spinning left, spinning right. There is no creation of new offences here. Do not break the law and you will not become susceptible to it. Do not break the red light. You know how many deaths take place on an annual basis by people breaking the red light? I do not think there is a single driver in Trinidad and Tobago who drives safely that as the light turns from red to green takes off straight away. And that is because we all know that there is the real possibility that someone will be breaking the red light.

So what we are doing as legislators and I call upon my colleagues on the other side to join in the responsible move. We will increase the fines for those who break the law. So if you break the red light then you will pay an increased fine. One of the ways, Madam Speaker, and there is a direct correlation between it, in terms of discouragement of breaking the law, is to increase the fines.

This law, really the inception of this Act, the Motor Vehicles and Road Traffic Act, is an old Act so every so often responsible legislators must look at the current-day value of money and increasing the fines and, Madam Speaker, it is our respectful submission to the population of Trinidad and Tobago that there is absolutely nothing wrong with the proposed increases in fines. Stay within the confines of the law and if you do so, you make it safer for everybody. Wear your seat belts, put your young toddlers and children in booster chairs. Do not have your children on your lap. Do not break the red lights—[*Interruption*]

Dr. Gopeesingh: While driving.

Hon. S. Young: While driving, as I am reminded. So, Madam Speaker, I will continue in a short while because I know we are going to break for the urgent matter. The main point to make this side of my submission is, there is no creation of new offences, the increased fines are completely proportional and acceptable and most importantly you only become susceptible to these fines if you break the law. So citizens of Trinidad and Tobago do not break the law.

6.00 p.m.

**TROPICAL STORM BRET
(FAILURE TO PROVIDE ADEQUATE RESOURCES)**

Madam Speaker: Leader of the Opposition. [*Desk thumping*]

Mrs. Kamla Persad-Bissessar SC (Siparia): Thank you very much, Madam

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Speaker, and I thank the House for granting our request to have this matter discussed at this time and, that is, the failure of the Government to provide adequate resources and relief in a timely, effective and efficient manner to alleviate the hardship, suffering, anguish and distress of the population in the aftermath of Tropical Storm Bret.

Madam Speaker, in its failure to deliver to citizens at this time, where so many of them are in great need, the Government has proved once again that it is the most incompetent Government ever of Trinidad and Tobago. [*Desk thumping*] I got on my phone at 2.06 p.m. a message—I guess a text—that was put out by the Trinidad and Tobago Ministry of Works and Transport at mowt.gov.tt and it says:

“Please be advised that we are experiencing Traffic congestion on the CRH”—which I think is the Churchill-Roosevelt Highway—“& UBH”—Uriah Butler Highway. “1 lane was conned off”—one lane was conned off. C-O-N-N-E-D—“in the vicinity of the Caroni Bridge.”

We could not even get—[*Interruption*—yes, it is “conmanship”—a correct notification from the Ministry of Works and Transport, and this has been what has been happening before the storm, [*Desk thumping*] during the storm and after the storm, Madam Speaker.

The multimedia desk of the—published 23rd June, that is today at 2.23 p.m. from the *Express* reads as follows, Madam:

“THERE appears to be a flood of incorrect information coming out of the Office of Disaster Preparedness and Management...regarding whether there is water on the highway near the Caroni overpass and the Caroni Savannah Road.

At around noon, the ODPM issued a terse Facebook advisory, stating: ‘Please be advised that the rumours of flooding on the Uriah Butler Highway and near the Caroni Cremation Site is FALSE.’”

This is what the OPDM put out today. The *Express* article continues that:

“‘We are liaising with persons ferrying FALSE reports to retract those reports. An official release will be posted soon noting that the water levels are visible...on the Caroni Savannah Road in the vicinity of the Uriah Butler Highway South. Highway Patrol and the Ministry of Works and Transport is...monitoring the water levels, due to heavy rainfall at this time’.”

The article carries:

“This set off a storm of negative responses on social media on people actually using the highway at the time. These motorists began posting images showing flooding on the highway shoulder, heavy rain..., and traffic.

Some challenged the information by posting their own ‘real time’ images and videos showing vehicles travelling through flood waters.”

Madam Speaker, what has been happening prior to the storm hitting, during the time, and thereafter, has been misinformation [*Desk thumping*] and no plan of preparedness for dealing with Tropical Storm Bret. What we experienced just prior to the storm, were Government officials saying, “Do not panic. Don’t worry. Everything is fine.”

In the meantime, the Prime Minister is missing in action, working very hard in Tobago at Mount Irvine playing golf [*Desk thumping*] and then tells us a story that the trajectory of the storm was that the worse will be for Tobago, but then it turn back down south. I have never heard of any storm coming across the Atlantic to the Caribbean, going up the road and turn back down. [*Laughter*] It goes this way: from the Atlantic across, it goes northwest. It goes northwest. It does not go north where Tobago is, of us; and then come back down, south. So the Government needs to get its feet on the ground. [*Desk thumping*]

My colleague talked about disaster tourism where we see Government officials coming with hands swinging, a slew of camera photographers and so on, and bringing/bearing nothing at a time when people are in greatest need. I went through—[*Interruption*]—yes, I am saying that. You should come down south. [*Desk thumping*] You see, you all do not come, so you do not know what is at stake. You do not care what is happening and you forget that there are PNM supporters in south as well. [*Crosstalk*] So south of Trinidad does not have any PNM supporters? You think it is only UNC supporters, but you are very wrong. Moruga/Tableland was so badly hit, represented by a PNM MP in this Parliament, missing in action. Missing in action, man. [*Crosstalk*] And so, Madam Speaker—[*Interruption*]

Madam Speaker: Member for Naparima, I am on my legs. Member for Siparia.

Mrs. K. Persad-Bissessar SC: I thank you, Madam, and I thank God, therefore, for the MP for Princes Town and the Princes Town Regional Corporation. [*Interruption*] The Member for Arouca/Maloney—Madam, I need your support.

Madam Speaker: Members! Members, I have said—Members!

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Mrs. K. Persad-Bissessar SC: Respect the Speaker.

Madam Speaker: Excuse me, the Speaker needs no protection. As I have said before, I know this has been a very stressful week for Members on both sides. That is no excuse for us to be disrespectful of this House and to disrespect the Standing Orders. I would ask Members to restrain themselves and allow the Member for Siparia to continue the presentation. Any other Member will be allowed to join in response.

Mrs. K. Persad-Bissessar SC: Thank you, Madam Speaker. So I am saying, today when questions were asked from the Government about giving assistance by way of grants from the Ministry of Social Development and Family Services and so on, the bottom line was that not a single grant has been given out. [*Desk thumping*] That was the bottom line, and today we are into the fourth day and it reminds me of what the Government from 2015 has been saying—they are reviewing and they auditing; they are still reviewing and assessing. So when you are there, you are on the ground. As I said, disaster tourism, you are coming with the cameras, you taking the pictures, but you have nothing to give.

Again, I want to thank the MPs and the UNC councillors who in various areas contributed, put up and we were able to deliver some hampers. [*Desk thumping*] I want to thank all the good Samaritans who also have been sending and asking to give assistance, but it is not enough. It is definitely not enough. And when we asked earlier today questions about what was being done, what has been done, what has the Government done so far? We see since September 2015 to the present, what has the Government done for reducing severe flooding in areas so prone? We can get a good example of what they have done, or not done, from the budget documents that come to this Parliament.

So where it is that the national programme for upgrade of drainage channels, out of the money allocated, only 15 per cent was used up for the whole of 2016. Only 15 per cent. It is at page 94. You could go into the books for the budget and you will find it there. When it comes to the construction of a reservoir and associated water treatment facility at Ravine Sable, Caparo—Member for Caroni East—Caparo and that entire area. La Horquetta—they speak of La Horquetta/Talparo too. La Horquetta/Talparo flooded out, El Carmen and all those areas. This would have helped, but what happened? Out of the \$25 million allocated in 2016, 7 per cent of that—7 per cent—and then we want to cry that we have done all this work and there is an ongoing programme, and whatever it is that is happening.

For the landslip repair programme, it is the same for all the programmes. I have it here but the point is this, the moneys allocated for budget 2016—which should have been from September 2015 down to September 2016—the moneys allocated for these kinds of works, minuscule amount, actually utilized. [*Desk thumping*] And then now, when we were told today that not a single grant has been given out, someone had posted up there were 19 grants. Nineteen grants that you can access under the Ministry of Social Development and Family Services, and what a crying shame four days into this flooding and this storm, we cannot be told that one has been out.

I remember when the then Minister of the People who had to look after matters like these—was Dr. Glenn Ramadharsingh and thereafter Christine Newallo-Hosein, MP now for Cumuto/Manzanilla—that when the Ministers went out, when people were out on the ground, when you were going and we were going to visit people, their Ministry officials were actually on the ground at the same time. [*Desk thumping*] They will be there, you would see right away, look this whole house is gone, man. They need something to eat. You will have the hampers, they will have the food cards, and they will have them ready and available to give to affected persons on the ground. And so, we are saying that that is not happening.

Four days into this and we looked at the various grants—and then when we looked at the midterm review, Madam Speaker, I wonder if you recall, right here in this House, when we did the midterm review earlier this year, we were told that the food price support programme was cut by \$86.067 million for the food support programme. You all remember that? Right here, cut, and why? They were in the process of revisiting and regularizing the administration of the food price support programme with a view to ensuring efficiency and so on. But today, with the suffering coming from these floods, we cannot get one of these 19 grants being allocated to anyone within any of the Ministries. Not one grant when the question was asked here today.

We have been told they are being assessed, they have to go in the field—
[*Interruption*]

Mr. Charles: Audit.

Mrs. K. Persad-Bissessar SC:—audits. Again, it is like the review. We were told within three weeks. That it used to take months, will now be three weeks. But this is emergency relief, Madam Speaker, and, therefore, a different system needs to be put into place to get speedy relief. I invite persons to come and see

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what is happening.

So what has the Government done from September 2015 to now? I have spent a short time out of the 20 minutes, with eight I think left, talking about the cuts, and the fact that budgeted amounts for 2016 have not been used that were allocated to deal with drainage, to deal with flood relief and matters like that, were not utilized for 2017. We will not know until we come back for budget 2018, later this year, in a few months, what was the actual expenditure under each of these Heads.

So how did the Government handle the disaster following in the wake of the storm? So firstly, prior to “don’t panic”—officials saying, “Don’t panic, don’t panic, don’t panic”, then we were getting misinformation as to what was happening, and then we were hit. So what happened thereafter? The Minister of Public Administration and Communications, speaking for the Government, said he was satisfied over Government’s handling of the situation. Madam Speaker, he may be satisfied but the citizens of this country are not satisfied [*Desk thumping*] with the way the Government handled the relief efforts for citizens.

A news poll taken during the week asked: Are you satisfied with Government’s response in the aftermath of Tropical Storm Bret? Madam Speaker, I am not surprised that perhaps for the first time, in the longest time, 100 per cent of respondents voted no, they were not satisfied. [*Desk thumping*] This was on Wednesday, 100 per cent of respondents when asked are you satisfied with Government’s response in the aftermath of the storm said no. In short, Government has failed to attempt to coordinate the relief efforts to the thousands of persons. Regional corporations’ first responders did try. They were out there, but they were overwhelmed very shortly.

Madam Speaker, I went out on Tuesday, I think it was, in the constituency and so on, and for all those many hours I did not see one Government official, one Government vehicle. There were two—[*Interruption*]

Mr. Young: Kazim Hosein was standing next to you in the papers.

Mrs. K. Persad-Bissessar SC: Yes, but what was he doing standing? Swinging his two hands? Be real. Be real! I talked about disaster tourism on the part of Government officials walking about and standing about, nothing to hand out. Thank God, we had put the money together and we got the hampers and we were distributing them. [*Crosstalk*]

I did not see any Government—[*Interruption*]

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Madam Speaker: Order! Order!

Mrs. K. Persad-Bissessar SC:—vehicle on that day. The regional corporation with two small vehicles through that entire Penal/Debe Regional Corporation. You could not see any others. Persons marooned. They could not get out of their house and the regional corporation had no equipment to get them out of that water. They could not come out. “Kaimans” floating in the water.

Hon. Member: Caiman.

Mrs. K. Persad-Bissessar SC: Caiman, whatever it is. I know them as alligators, but I think that is the wrong word to say—Caiman. I know we are told that those of us from the south, we are “like alligators in the murky lagoon”. You remember that? [*Crosstalk*] From the Member for Laventille, or wherever it was, “alligators in the murky lagoon”. But, Madam Speaker, the people, whether they are from up in the east that was so badly hit, whether they are from the south, or whichever part of Trinidad and Tobago, they deserve equal treatment in this time. They deserve it. [*Desk thumping*]

Now, Cabinet has approved \$25 million in funding to be disbursed, I am told, through three Ministries, and we looked at the allocations to the ODPM across the years, three budgets. You will see for 2014/2015, the budgeted amount for ODPM was \$67 million; thereafter, this figure was cut down to \$37 million for 2015 to 2016; and there has been even a further reduction to \$20 million for this fiscal year where there was this major disaster. The question is then: Beyond Bret, what happens?

Now, when I went to school we had a—there was a little thing we used to say, “June too soon, July stand by, August it is a must”. I can see your lips moving, Madam Speaker. We learned this in school, but this is June and this is just the start and June is too soon, remember. [*Desk thumping*] That is what we learned. This is the start of this season in which we could get storms, and hurricanes, and so on, right down until November and, therefore, the question now is for Government in some way to give the assurance that we will be better prepared as we go along into this very wet season.

Is the Minister of Social Development and Family Services looking at deployment time of assessing persons? Are we waiting then for people to go into the offices? Are we going to deploy officers in the field so that you can get this done quickly? Is the Minister of Rural Development and Local Government going to review the process for activating shelters?

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You know, Madam Speaker, the whole fiasco with the shelters, places were placed on as shelters—I am told these are posted up by the ODPM—and the shelters were not open on that day. I saw a headline saying, non-access in Trinidad, two in Tobago.

Hon. Member: Three minutes.

Mrs. K. Persad-Bissessar SC: Three minutes. Non-access in Trinidad, two in Tobago. There was no access, Madam Speaker, and I will tell you why. For examples—I could give examples—the Ramai Trace Hindu School was designated as a shelter, but yet in this House I have heard many calls from the Member of Parliament, as a shelter that—Madam Speaker, let me make it clear, the shelters I am told are given out by the ODPM—let us get that very clear—and they never checked in any way. So this is issued at whatever point in time. So the Ramai Trace Hindu is a construction site because we have been asking through the MP here for it to be completed and open, construction site listed. The Debe Hindu School, the river flooded out the whole school. I do not even know if it is opened up to now. Shelters at which people just could not go in.

Are we going to sit by and say, “Well look, it is the regional corporations’ fault, and is Kamla fault, and is Kamla fault, and is the UNC fault?” Or are we going to put systems in place from now? I say June too soon. So there is say, may well be, God help us know, but there may well be more to come. Are we going then to deal with how we check those centres and activate them?

What is being done about disease control? I think the Minister of Health may have answered today. Hopefully that is taking place with the spraying and so on. And then, is the Government going to engage in impact assessment arising from events of earlier this week? I say, again, the Government needs to put their feet on the ground. It is not good enough to drive in your car, wave through the window and so on. We need to get more proactive action and, at the end of the day, it really falls on the Government. They have protested, they have won as they say they have won, and they are in charge. I call on the Government to show that you are in charge and to bring relief to the citizens of Trinidad and Tobago.

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

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Madam Speaker. Madam Speaker, I am very grateful for this opportunity this evening to explain to the nation and those on the other side all that was done, and continue to be done, as a result of the recent Tropical Storm Bret that affected Trinidad and Tobago. The Ministry and all its officials are busy

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working because we continue to have some bad weather which will cause more flooding. Thankfully, although I am here in the Parliament, work is being done as I am speaking. At this moment, we are experiencing flash flooding in some areas, Port of Spain and on the highway.

Madam Speaker, once the Government was aware of the imminent passing of Tropical Storm Bret over Trinidad and Tobago, all relevant agencies mobilized to ensure that the population was prepared.

Madam Speaker, just to respond to the Member for Siparia who started by saying no work was done in the 2015 to 2016 with the programme for drains and so, I just want to indicate that the approximate rainfall over the 30-year average is 350 millilitres. On that said night we got 156, almost half the amount in just a short space of time, and if box drains would have solved the problem, one place would have never had a problem would have been Siparia. Because just under the PURE Programme alone, which deals with basically box drains and road paving, in Siparia alone, the PURE Programme for the five years spent \$454,599,000, and if you compare that to Diego Martin West, over the five-year period it was \$38 million. So I just wanted to say that it is not right—[*Crosstalk*]

[*Madam Speaker stands*]

Madam Speaker: Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Thank you, Madam Speaker. Madam Speaker, I just wanted to indicate—[*Interruption*]

Hon. Member: The Prime Minister wants you to quote the figure again.

Sen. The Hon. R. Sinanan: The PURE Programme spent \$454,599,726.66 in Siparia. [*Crosstalk*] In Oropouche, it was 108—[*Crosstalk*]

Madam Speaker: Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Sorry.

Madam Speaker: Members, I would like to hear the contributions. I also want to remind Members there is no injury time for this Motion. Please continue.

Sen. The Hon. R. Sinanan: Okay. So, Madam Speaker, I just wanted to put on the table that box drains could not solve the problem that we were faced with, with the volume of water that came across Trinidad and Tobago. So having said that, what happened in Trinidad?

At the Ministry of Works and Transport, on Sunday morning the team at the

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Ministry mobilized its employees, all the directors. We got together and we started to deploy the equipment in areas that were prone to landslips, fallen trees and flooding. At two o'clock, myself, the Minister of Rural Development and Local Government, Minister of Public Administration and Communications, the army corps, and several other agencies attended a meeting at the ODPM, where we were all briefed as to what was happening, and a discussion on all the relevant authorities and Ministries plan of action.

Madam Speaker, it is because of proper planning that we compared what had happened, where we had a storm on Monday night into Tuesday, and within hours—[*Crosstalk*]

[*Madam Speaker stands*]

Sorry.

Madam Speaker: I am having great difficulty in hearing the contribution. Member for Oropouche East, could you refrain from the display of the newspaper, please?

Sen. The Hon. R. Sinanan: Thank you. Madam Speaker, within hours no part of Trinidad was cut off. You compare that to last year November where it took us almost a week to get into Arima and Matelot. The reason for that, we planned before, we put equipment inside, and equipment cleaned coming out. [*Desk thumping*] On that Sunday, all numbers were distributed to all the relevant players, and that was one of the reasons why communication on Tuesday morning was so efficient.

Madam Speaker, it is strange that you get the feeling, as the Minister of Works and Transport, that there are some people who wished this storm was worse. [*Desk thumping*]

Hon. Member: Tell us who.

Sen. The Hon. R. Sinanan: Some people.

Hon. Member: Like who?

Sen. The Hon. R. Sinanan: No, I would not call any names.

Madam Speaker: Members for Caroni Central, Oropouche East and Couva South, if you all intend to join the debate, I will call upon you all in time. Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Thank you, Madam Speaker. Madam Speaker,

what happened within minutes after the storm warning was called off, members of the URP, the Ministry of Works, the regional corporation and the army corps were out. By six o'clock, there were trees being removed from the road, landslips being cleared—[*Interruption*]

Dr. Gopeesingh: Where? Tell us where?

Sen. The Hon. R. Sinanan: Through you, Madam Speaker, they could not clear trees in Siparia because they had flooding, they could not clear landslips in these areas because there were no landslips there. On the North Coast there were landslips, and in other areas where there were trees fallen we dealt with it.

Unfortunately, in the areas on the southern side, we had flooding. It does not take an engineer to tell you that before you could deal with flooded areas you have to wait for the water to run off. I do not think a backhoe could go and take out water. I think what we are accustomed seeing in Trinidad is contractors mobilizing equipment, running up and down, MPs with tall boots running up and down, and hampers giving out. That has gone on in this country for too long. [*Desk thumping*] What we need is to bring some sort of relief—[*Interruption*]

Dr. Gopeesingh: You did nothing, so we did something.

Sen. The Hon. R. Sinanan: What we did was to bring some—[*Interruption*]

Madam Speaker: Member for Caroni Central, please do not allow me to rise again. Member for Princes Town, please do not have me rise again. Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Thank you. Madam Speaker, while we are speaking in the Parliament here and you know we are trying to blame people, there are still people under water outside, and somewhere along the line we must understand as politicians that we should be seeing about the people rather than trying to cast blame. [*Crosstalk*] Madam Speaker, what is taking place right now, there is equipment in Blanchisseuse, in Sangre Grande, in Tunapuna, in Ciperio River. We have just sent out pumps to the low-lying areas in Siparia, in Barataria/San Juan—[*Interruption*]

Hon. Member: The Guayamare River flooded.

Sen. The Hon. R. Sinanan: No, the Guayamare—no. Madam Speaker, you see, we are getting what areas are being flooded. I was in El Carmen yesterday and—[*Interruption*]

Dr. Gopeesingh: But you “doh” have no respect. You come in my

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constituency and—[*Interruption*]

Madam Speaker: Member for Caroni East. And I must apologize to the Member for Caroni Central just now. Member for Caroni East, I would invite you, if it is that you cannot contain yourself, take a little walk and come back. The same thing for Member for Couva South, if you cannot contain yourself, I am sure a little walk will give you the discipline required. Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Madam Speaker, you see, as the Minister of the Works and Transport, in an emergency I have to be out there. I cannot wait to ask the Member for Caroni East to accompany me because he might be busy. I have to go out there and bring relief to the people. [*Desk thumping*] I am sorry if the Member for Caroni East took offence with me trying to solve the problem in his constituency without him.

Madam Speaker, there is a lot of work going on in Trinidad and Tobago as we speak. The storm has passed, but there is a lot of work that has to be done and the Ministry of Works and Transport, we are on the ball. Unfortunately, we cannot go in some of the areas where there is flooding until there is a run-off. I just came out from a meeting where we had all the heads, including the people from Siparia, including all the divisions of the Ministry of Works, and I want to give the assurance that this country, after two days of facing a storm like that, we are almost back to where we are supposed to be. [*Desk thumping*]

6.30 p.m.

Mr. Padarath: Are you for real?

Madam Speaker: Take a little walk and come back, please.

Sen. The Hon. R. Sinanan: Madam Speaker, as Minister of Works and Transport, I have a duty to the citizens who, at this point in time, still require services from the different agencies. What I want to say, at this time, is every time Trinidad and Tobago experiences heavy rainfall and wind, we always have to deal with disasters, especially flooding, and for those reasons, the Ministry of Works and Transport is embarking on a major flood alleviation programme, [*Crosstalk*] which includes building codes and detention ponds.

Madam Speaker, I just want to remind this population, I have heard some “woos” on the other side about a flooding alleviation programme. Between 2010 and 2015, this country spent a couple million dollars on a Port of Spain flood alleviation programme, which was failed by the IDB. We must recognize that

panicking and passing blame whenever there is a disaster does not help the situation.

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

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you very much, Madam Speaker. Let me just begin by saying that this Motion is about the failure of the Government to provide adequate resources [*Desk thumping*] and relief in a timely, effective and efficient manner to alleviate the hardship, suffering, anguish and distress of the population in the aftermath of Tropical Storm Bret and nothing has changed since Bret came. The people are in a state of hardship, suffering, anguish and distress in the aftermath and very little, if any, has been done, to bring relief in a timely, effective and efficient manner. [*Desk thumping*] And it is really, really, really a shame, Madam Speaker, to see the Minister presenting such a vacuous statement in the House this afternoon to deal with this. [*Desk thumping*]

Madam Speaker, how ludicrous it is that he can stand here and say that in Siparia, they spent \$454 million on box drains. At an average of \$1,000 of a two-by-two box drain, that is 450,000 metres of box drains that you are telling me that was built in Siparia. What nonsense and you expect the people of this country to believe that? [*Desk thumping and crosstalk*] Madam Speaker, nothing was done.

Madam Speaker: Member, there is no need to shout and maybe if Members behave with more decorum, the Member for Tabaquite would not have to strain his vocal cords.

Dr. S. Rambachan: Thank you, Madam Speaker. The hon. Minister gets up and talks about this is not a time to hand out hampers, that is something that Ministers used to do in the past. If he, the hon. Minister, understood the meaning of hunger and loss [*Desk thumping*] and all your food being destroyed, he would not stand up here to talk about hampers being given to people. Today, people are very happy to receive a hamper because they have no food, “all dey food washed away in the kitchen”. [*Desk thumping and crosstalk*]

Madam Speaker, today, in this Parliament, the Minister of Works and Transport, in response to questions, said the Government’s or Ministry’s action was to wait until the water subsided. After four days, people are still marooned in their homes. There are pictures in the newspaper today to show it. [*Desk thumping*] Their hygiene needs are affected. Could not the Government bring out some dinghies and get people out from their homes and put them into centres and give them a hot meal and give them a mattress and make sure that their children

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had a place to rest their heads? This is the uncaring Government that you have in the PNM. [*Desk thumping*] The uncaring Government.

Madam Speaker, the Minister comes and repeats, he had 20 minutes, he could only use 10 because he had nothing to say, nothing to tell the people. The hon. Minister might be a nice individual, I know him. He is a genuine individual in his own way. But when he stands up there and makes the vacuous promises that he made and goes back and say, “We gonna dig this dam and that dam”, all he is doing is giving real meaning to the words: PNM promises never materialize. [*Desk thumping*] Madam Speaker, that is what he is doing and I am very sorry.

Madam Speaker, the Minister of Social Development and Family Services, in her answers today, said, look, it normally takes two to three months in order to process a normal application for help, but in an emergency situation, it will take two to three weeks and she hopes to get it done in two to three weeks. What will happen to people in two to three weeks? This is why we are talking about an efficient system and effective system and a timely relief system. [*Desk thumping*] Are people going to starve for these next few weeks?

Madam Speaker, the Minister of Housing did not agree this morning in a question with the former Minister of Housing that it was a good idea to go to areas where problems have occurred and do the filling out of the forms in those areas. The people are there and they have problems, you have to reach out to the people. This is not a people-centred Government; this is not a citizen-centric Government. [*Desk thumping and crosstalk*] Madam Speaker, do you know what it means for people to suffer great loss to go and reach out to them? This is the poorest form of governance we have seen in this country in many years. Madam Speaker, after four days—[*Interruption*]

Madam Speaker: Member for Tabaquite, your speaking time has now expired.

The Minister of Public Utilities (Hon. Fitzgerald Hinds): Thank you, Madam Speaker. I “doh wanna” waste any time on it but the facts and figures show that they spent \$454.5 million in Siparia on box drains and paving in the last five years, and every one of those matters should be investigated.

Mr. Charles: “What is yuh source?”

Hon. F. Hinds: If you are denying seeing those box drains now, this requires more attention. [*Crosstalk*] And I could recall in 2010/2011, when they had floods, \$97 million they spent on contractors moving a few truckloads of garbage and rubble out in Diego Martin. These are the facts. Madam Speaker, I do not

want to spend too much time on it but the Member for Siparia suggested that I said all the people from south were alligators. That is not the case. I was speaking about—[*Interruption*]

Hon. Members: Yes, yes.

Hon. F. Hinds: Look at the records. [*Continuous crosstalk*] I was speaking about the Member for Siparia and a certain Ashworth Jack in Tobago.

Madam Speaker: Member for Couva South, could you just take a little walk and come back please? Please.

Hon. F. Hinds: I am saying both of them were alligators from the same lagoon because they both could not explain how they arrived at houses and the contractor disappeared since the last election.

Madam Speaker, I told this country—[*Crosstalk*] The Member for Siparia was saying she could not see a single official. My friend, the Minister of Works pointed out she was in a picture with the Minister of Local Government, right there. They just cannot speak the truth. They just cannot speak the truth. [*Desk thumping*] T&TEC was ready for this, well ready. WASA was well ready. T&TEC had 375 events with live trees falling on lines and power disruptions. And as I speak to you now, I am almost certain, they have attended to every single one of them bringing relief to the people of this country. [*Desk thumping*]

WASA had 26 incidents and WASA is also on the job dealing with it including turbidity in water because of the stirring of the surface water. The Met services and the ODPM, they must be complimented. They were on top of the system and the system worked. [*Desk thumping*] The system worked. Thank God, he spared us the worst excesses of this, and insofar as relief is concerned, I heard the Member for Siparia say “ah 100 per cent”. Well, in today’s *Express*, 100 per cent of the people said that they supported the efforts of Prime Minister Rowley inside there, [*Desk thumping*] every one of them.

Madam Speaker, I heard the Member for Siparia untruthfully say “not ah single grant”. The Minister of Social Development explained. It takes time to process because there are people who abuse the system and you cannot assess anything when the flood waters are high. It is just a matter of common sense but “they accustomed going around with their donated hampers and fooling people and posturing”. That is not what we are about. We are about genuine relief to the people and they cannot find one citizen in this country who is marooned in any house and cannot come out and hungry. Not one. That is an exaggeration. [*Desk thumping and crosstalk*] That is an exaggeration, not one they could present.

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And, Madam Speaker, as for food cards, “All ah them used to have ah thousand food cards in dey back pockets. We not doing dat.” There is a process for getting them and we will assess cases and give them as they could.

Dr. Gopeesingh: Standing Order 48(6).

Mr. Imbert: Sit down.

Hon. F. Hinds: Madam Speaker, let me continue. And there are grants for home repair, food, clothes, furniture, school books. This Cabinet announced a special \$25 million to support people in this effort and if more is required, more will come. Public buildings are now open: courthouse, school, hospital—everything open. So we are bringing relief, according to the plan, for the people of this country. Madam Speaker, I want to say that I am thanking the people of Trinidad and Tobago for their understanding that this was a natural disaster and that relief is on the way. [*Desk thumping*]

So, I support and I will take the opportunity to congratulate the Prime Minister who we truthfully know was on the telephones to us and in other ways communicated with every single one of his Ministers [*Crosstalk*] and as the people of Trinidad and Tobago recognized in this survey today, he did not put on boots and go out there and make a mockery of himself; he did what he had to do as leader and he had faith and confidence in his Ministers and we all did the job. Madam Speaker, we all did the job. Thank you. [*Desk thumping*]

Mr. Ganga Singh (Chaguanas West): Madam Speaker. I now understand why you were removed from the Ministry of Works portfolio. [*Desk thumping*] You do not have a grasp of the issues and I understand the vacuousness, as indicated, of the current Minister of Works and Transport because his head is in South Korea looking for the ship, the emerald flower. South Korean ship is seeking to replace that is being hand-picked.

Madam Speaker, when you deal with this issue of flooding, the hon. Minister of Works spoke about that we wasted money in seeking to bring about a flooding alleviation in Port of Spain. It was a loan of \$120 million by the IDB. They have cut that down because they do not have the capacity or leadership to deal with the flooding problem in Port of Spain [*Desk thumping*] and that therefore, they have reduced that US \$120 million to US \$15 million.

And the reason why you have flooding, not because of the rainfall, it is because you did no work, both you and your predecessor [*Desk thumping*] did no work Madam Speaker, when you look at the rivers in south Trinidad, the rivers in

south Trinidad, no work done. The South Oropouche study by Royal Haskoning and the recommendation, no work done.

You look at the Caroni river basin study, another Royal Haskoning study, no work done and then, of course, Madam Speaker, the Caparo Mamoral retention reservoir. You are now going to do retention pond when you ought to have a retention reservoir? [*Desk thumping*] The designs were done, the designs were completed. The residents of Caparo Mamoral, we had discussions with them, they were being relocated. Now, if you had done the work, then Caparo would not have flooded. Two years, you do nothing, designs and everything done, “now yuh come with some farcical recommendation of detention ponds”.

Madam Speaker, you look throughout the system, we have to do the work—the dredging, the desilting—during the dry season. Look at the highway now. The reason why the highway is flooding is because no work was done by the ravine created by the former Minister of Works, Franklin Khan. No desilting, no dredging, so that when the water—that sheet of water, Madam Speaker—the sheet of water that came down from Talparo Brazil and into the St. Helena, El Carmen, Las Lomas and heading down into Warrenville will ultimately find its way into the Caroni swamp. But if you had anticipated, then you would have dredged that whilst the water was away, not whilst it is currently flooding, but no, “you touring”. “You like ah West Indies team, non-performing but touring.” [*Desk thumping and laughter*]

Madam Speaker, it is clear to us that the Government really is incompetent to deal with something as simple as a tropical storm. This Government lacks compassion. A lady in my community, in the constituency of Caroni East, Karma Jackson, when the Member for Laventille West says no one was marooned, she was pregnant and ready to have her baby, marooned. The CNC3 and the Guardian Media had to save her together with the community people.

Mr. Padarath: “Personally back up ah truck.”

Mr. G. Singh: So it is clear it is only because of the action of the community that we have saved this country. [*Desk thumping*] This community has saved the country, the people have saved the country in spite of a non-performing, incompetent Government, the worst Government this country has ever seen from time immemorial. Thank you, Madam Speaker.

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Madam Speaker, I wish to indicate here this

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afternoon that this Government has, in fact, provided adequate resources and relief in a timely manner.

Hon. Member: Yes, “geh dem”. [*Desk thumping*]

Hon. C. Crichlow-Cockburn: Madam Speaker, Bret passed through Trinidad on Monday the 19th of June and by the 20th of June, the Ministry of Social Development had established its disaster relief operation centre where we have been receiving reports of families that have been affected. We have been sending officers out in the field and we are in the process of processing applications for grants.

Madam Speaker, I wish to indicate here today, the Opposition seems to believe that those grants should have been processed already. Madam Speaker, the experience has shown that we have to ensure that we follow the procedures because we do not want to have instances of double-dipping and mismanagement of Government funds for which we are responsible. [*Desk thumping*] So, Madam Speaker, we are going to ensure, within two to three weeks, the persons who have been identified and who have been assessed will be provided with the necessary support in terms of repairs to their houses and replacement of furniture and equipment.

The Opposition is saying that we have not been out in the field. Every MP has been touring their constituencies. On Tuesday, I would have toured the entire Lopinot/Bon Air West constituency to determine what had happened and we were able to take corrective action, together with the regional corporations. [*Desk thumping*]

And, Madam Speaker, in terms of food support, every family that we interacted with whose food supply would have been damaged or destroyed, were provided with temporary food cards [*Desk thumping*] and where persons were marooned, the Minister of National Security—they were using dinghies to get to those persons to provide them with water and food supply. So it is totally erroneous and incorrect to indicate that we were not dealing with persons who were marooned.

Madam Speaker, there is talk of the Prime Minister touring. This is the very Opposition that was saying, where is the Prime Minister? Our Prime Minister saw it fit to go into the area that was most hard hit and he interacted with almost every person that he met. [*Desk thumping*] It was most unfortunate that the media chose to snap the one photograph here where somebody just flagged him down and he responded to give the false impression that he was in his car and not

out in the field. [*Desk thumping*]

And Madam Speaker, as I come to a close, I just want to indicate, there is no river in this world where there is a storm, a hurricane or a flood that will not flood its banks. No river. And while we empathize and we are sympathetic towards our citizens who have been flooded out, if you build a flat house in a lagoon and there is a storm, you will experience flooding. [*Desk thumping*] But notwithstanding, we are going to ensure that we bring the necessary relief to all of our citizens who have been affected.

And lastly, Madam Speaker, the Opposition wants to give the impression that maybe 100,000 persons have been affected. As of yesterday, we have received information that only 1,074 families have been affected and we have already assessed 500-and-something of those persons.

Mr. Hinds: Awwww, those are the facts. [*Desk thumping*]

Hon. C. Crichlow-Cockburn: So, Madam Speaker, I want to assure every citizen in Trinidad and Tobago affected by Bret that we are going to provide the relief as we have been doing in a most timely and effective manner. Thank you, Madam Speaker. [*Desk thumping*]

Mr. Rodney Charles (Naparima): Madam Speaker, thank you very much. It is clear that this Government is the worst in the history of Trinidad and Tobago. [*Desk thumping and crosstalk*] They cannot even deal with a level one storm, a hurricane, for far less a little storm that affected Trinidad and Tobago and today, we had to come and get the excuses from the Minister of Works and Transport. Excuses. I will give five reasons why this Government has failed this country with Bret and the first reason is that we lack leadership in this country. Mr. Prime Minister, you are my Prime Minister and our Prime Minister and we expect you to be there in the forefront—[*Interruption*]

Madam Speaker: Hon. Member, please address your contribution to me.

Mr. R. Charles: Thank you—leading the charge when we have a crisis. This is not a time for golf; this is not a time for holiday; this is a time for work. [*Desk thumping*] And the second reason why you have failed is because this Government, as we have said repeatedly, has no plans whatsoever. What areas were vulnerable in this situation? What were the roles of the first responders? What intervention did we expect from them? What were the contingency plans? Did we have discussions with various institutions to make sure that we were prepared to deal with this?

No plan whatsoever. No short-term plan and no long-term plan in terms of

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agricultural reforestation and dealing with the slopes and the kind of run-off that will take place from that. At the United Nations, they talk about climate change and climate change adaptation and climate change mitigation. I will advise the Minister that there is a plethora of literature on this matter and that he should avail himself of this, rather than just coming about ad hoc interventions.

The third question as to why this Government has failed; as always, they do not quantify their interventions. We heard about \$25 million. But \$25 million, how did they come up with this? Was this on the basis of an empirical analysis of the challenges we face? Who gets what and how do they get it? Is it for damage to property, and if so, how much? Is it for damage to crops, for livestock? And the concept of self-help grants. I was in Naparima and I am asking people—their houses are broken down and they are asking for self-help grants. They have to get something within hours and there was no intervention I could have pointed them to. When I called the Ministry, we are told to fill a form and they will wait two to three weeks to satisfy the demands of the citizenry.

The fourth reason is a lack of communication. Good communication in a crisis should be timely, relevant, effective, truthful and provide comfort to the citizenry. So you had people who were pregnant. There is an old lady in my constituency in Naparima, 82 years old, and you could see the need there [*Crosstalk*] and that is why our businessmen have come to the conclusion that we will ignore this callous and cruel Government and we will take our future in our hands. And that is why yesterday, a contractor donated 53 mattresses and he is providing food for a soup kitchen. Madam Speaker, this is where my country has reached?

Mrs. Persad-Bissessar SC: “When yuh talk about the 82-year-old and the pregnancy, I think yuh mix it up.” [*Laughter and crosstalk*]

Mr. R. Charles: This is where my country—[*Interruption*]

Mrs. Persad-Bissessar SC: Correct it.

Mr. R. Charles: What? [*Interruption*] Or, well, yeah. Well, one woman who was pregnant and an 83-year-old elderly woman in Barrackpore. [*Continuous laughter and crosstalk*] Madam Speaker, we have decided to take our future—

[*Madam Speaker stands*]

Madam Speaker: Member for Naparima.

Mr. R. Charles: Yes, okay. We have decided to take our future in our own hands. There are about 25 unattended landslips in Garth Road and in St. Croix

Road and there is no remedy—no remedial action in sight. The Reform Hindu School could have been used as a shelter. It requires about \$10 million to pay the contractor because the building is 90 per cent complete. It could not be used. The Guaracara River needs dredging. There is a master plan that needs to be put in place so that the perennial floods that take place would be reduced. In Barrackpore, the rivers were not cleared. My political leader has indicated that the cuts in the budget expenditure have resulted in the fact that rivers have remained uncleared and not dredged, and whenever there is a flood, we get problems.

The funds that are given to the regional corporations—Princes Town Regional Corporation—are severely lacking.

Madam Speaker: Member for Naparima, your time has expired.

Hon. Member: Hallelujah. [*Desk thumping*]

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I rise just to give the assurance to the people of Trinidad and Tobago that any analysis made by the Opposition about the Government's performance would not be the final situation; it will be the people of Trinidad and Tobago who will determine what kind of Government they have in Trinidad and Tobago.

I notice that every Member takes the opportunity to grandstand on this tragedy. I simply want to say to the people of south Trinidad, in particular where major water courses have overflowed their banks and water always flows from a high level to a low level, and those persons living at the lowest levels, in some instances, have experienced inconveniences and hardships, that the government agencies have been prepared to respond and have taken every reasonable step to ensure that a response that is worthy of the development has been, is being and will be made.

And, Madam Speaker, I notice every time Members of the Opposition get up and “they talking about golf. What dey have about golf?” Thursday was a public holiday in Tobago. Those of us who went to Tobago, like the Member for Caroni East or whoever it is there and his partner from Oropouche, they were on the golf course too.

Hon. Members: Noooooo. [*Crosstalk*]

Hon. Member: “You supposed to be here.”

Hon. Dr. K. Rowley: “Ah doh know what”—[*Interruption*—“Ah doh know”—[*Continuous interruption*]

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Mr. Young: In Tobago. [*Crosstalk*] Same one as you.

Mr. Padarath: “Is not the Prime Minister, you are the Prime Minister.”

Hon. Dr. K. Rowley: Let me tell you all something. I have to make no apologies to any of you for being in Tobago, I have a house in Tobago and I live in Tobago. [*Desk thumping and crosstalk*] So I make no apologies to any of you for being in Tobago and for sleeping in my house in Tobago.

Dr. Gopeesingh: My house in Tobago. [*Laughter*]

Dr. Moonilal: But we were moving together.

Hon. Dr. K. Rowley: Madam Speaker, the storm took place on Monday night. As Prime Minister, I was in Tobago on Monday night monitoring every single preparatory action that has taken place. [*Desk thumping*] By five o’clock on Tuesday morning, the storm warning had been discontinued and we now came out to see what has happened. That was Tuesday morning at five o’clock. By Wednesday after lunch, I was in Oropouche. “I doh know if the Member for Siparia was missing meh so much. Had I known that, ah woulda sleep down dey.” [*Laughter*] Had I known she was missing me so much, “ah woulda gone down there”, but I have no house in Siparia. But I will say, Madam Speaker, that when I go out to the people of Siparia, in Oropouche or anywhere for that matter, I go representing the best that Trinidad and Tobago has to offer. [*Desk thumping*] And on this occasion, every Ministry, every agency that had a role to play with respect to the response to Tropical Storm Bret has been on the job.

And I want to take the opportunity, Madam Speaker, notwithstanding all the shouting that you heard from the other side, I want to congratulate those who prepared to respond after the storm because some of the things that they have mentioned are quite unreasonable. “Ah mean, ah know they good down dey, but dey that good?” Eighty-two-year-old pregnant woman? [*Laughter and crosstalk*] “Eh? Dey that good?”

And of course, there are many things that you can do only after the water has receded and the workers at T&TEC, the workers at WASA, the agencies as ODPM, the defence force, the police service. Madam Speaker, the one thing that was missing from that whole development was “ah Prime Minister hopping up and down in ah helicopter”. That is all that was missing. “If they figure ah helicopter is what makes it”—when Diego Martin had a flood, the then Prime Minister came in “ah helicopter and make ah big to-do” in Richplain and flew away with a great noise. “Dah was the end ah dat”, except, except that they paid contractors twice

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for cleaning Diego Martin.

I want to tell the people of this country, while we empathize and sympathize with those who are in difficulty and we are using all the resources that are at our command to bring relief to them over time—not the same night of the flood but over time—the one thing that is not going to happen is that the flood is not going to be used to unlawfully and improperly enrich anybody as you all have been accustomed to. [*Desk thumping*] That is not going to happen. Eighty-four million dollars they spent in Diego Martin for clean-up, paying twice, and there are those who believe that the minute you hear flood, come out and get ready to get rich.

We are going to ensure that whatever moneys and assistance that come, as I told my colleague who was Chairman of Siparia who was out with me on Wednesday, what little we have available to make available to those who have been affected, ensure that it gets to those persons who qualify for it, [*Desk thumping*] and others who are standing by to use the opportunity for political or other kinds of enrichment, “choo pool”, “it not going to happen”. [*Desk thumping*]

Madam Speaker: Prime Minister, your time is up.

Hon. Dr. K. Rowley: I am going to ensure—[*Interruption*]

Madam Speaker: Prime Minister.

Hon. Dr. K. Rowley: We are going to ensure that those who qualify will get it.

Mr. Barry Padarath (*Princes Town*): Madam Speaker, in true typical style this evening, while we debate such an important issue, we have a Prime Minister who stands in the Parliament with only mamaguy and public relations. [*Desk thumping and crosstalk*] There has been no immediate measure with respect to what relief—the Prime Minister went to south Trinidad with his hands swinging. [*Continuous interruption*] “Not ah Crix, not ah tin of sardine” to deliver to the people. He promised that in 24 hours, they will get help from central government.

Madam Speaker: Member. [*Interruption*]

Mr. B. Padarath: He stands here now—

Madam Speaker: Order! Order! [*Crosstalk*]

Mr. B. Padarath:—and has delivered nothing to the people of Trinidad and

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Tobago. [*Crosstalk*][*Madam Speaker stands*] [*Crosstalk*]

Madam Speaker: Member for Princes Town, you may continue. Please contain your volume.

Mr. B. Padarath: Thank you, Madam Speaker. In 24 hours, the Prime Minister assured the people of south Trinidad and I know that they have a disdain for people in south Trinidad [*Interruption*] because they believe all those are UNC people. [*Desk thumping and crosstalk*] But, Madam Speaker, the people of south Trinidad will not forgive them. [*Dr. Rowley stands*]

Madam Speaker: Is this a point of order, Prime Minister?

Dr. Rowley: I was raising a point of order to ask you, Madam Speaker, if you will spare us under 48(6)?

Mr. Imbert: And 48(4).

[*Madam Speaker stands*]

Mr. Padarath: [*Interruption*]

[*Excessive crosstalk*]

Madam Speaker: This session is suspended. [*Crosstalk*] This session is suspended. We shall return at 7.10.

7.00 p.m.: *Sitting suspended.*

7.10 p.m.: *Sitting resumed.*

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

Madam Speaker: Member for Port of Spain North/St. Ann's West, you have 21 minutes of original speaking time left.

Hon. S. Young: Thank you very much, Madam Speaker.

Dr. Moonilal: Madam Speaker.

Mr. Lee: Madam Speaker, on a—

Madam Speaker: I have recognized the Member for Port of Spain—
[*Crosstalk*] I have recognized the Member for Port of Spain North—[*Crosstalk*]

Is there a point of order?

Hon. Members: Yes.

Madam Speaker: On motor vehicles, which we have reverted to?

Mrs. Persad-Bissessar SC: *[Interruption]*

Madam Speaker: Member, Member, if I am on my legs—*[Crosstalk]*
Member.

Mrs. Persad-Bissessar SC: *[Interruption]*

Madam Speaker: I am on my legs and you know much better.

Mrs. Persad-Bissessar SC: *[Interruption]*

Madam Speaker: I am addressing—*[Crosstalk]*—Madam. *[Excessive crosstalk]*

As I said before, I understand that there is considerable human discomfort in the country and it must be affecting us all as their representatives. I would like us to continue with the business of the people in a manner that is in accordance with the Standing Orders, which we have set for ourselves.

The debate on the matter of the Definite Matter of Urgent Public Importance is now ended. We now revert to the Bill which was in progress. I now recognize the Member for Port of Spain North/St. Ann's West. You have 21 minutes and 57 seconds of your original speaking time. *[Continuous crosstalk]*

Hon. S. Young: Thank you very much, Madam Speaker.

[Madam Speaker stands]

[Minister Young sits]

[Excessive crosstalk]

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

Dr. Gopeesingh: *[Interruption]*

Madam Speaker: Member for Caroni East, I have got it right this time. Member for Port of Spain North/St. Ann's West. *[Desk thumping]*

[Opposition Members rise to depart Chamber]

[Madam Speaker sits]

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, as I rise to continue the debate, we experience the—*[Continuous crosstalk as Opposition Members depart Chamber]*

[Madam Speaker stands]

[Minister Young sits]

Madam Speaker: It is the right of every Member—*[Continuous crosstalk]* It

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is the right of every Member who wishes to leave, to leave. [*Continuous crosstalk*]

Mr. Padarath: [*Interruption*]

Hon. Members: [*Interruption*]

Madam Speaker: But please—Member for Princes Town, I would ask you to apologize for that and you can leave.

Mr. Padarath: [*Interruption*]

Hon. Members: [*Interruption*]

Madam Speaker: I would ask you to apologize for that—[*Interruption*]

Mr. Padarath: [*Interruption*]

Madam Speaker: All right. Marshal, please escort him out.

[*Madam Speaker sits*]

[*Continuous crosstalk as Opposition Members depart Chamber*]

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, on behalf of Port of Spain North/St. Ann's West, and the constituents that I represent, I would like to now inform the right-thinking citizens of Trinidad and Tobago that we distance ourselves from the type of the behaviour we have just witnessed and I personally, as an individual, think this is yet again another sad day, and sad evening in the history of Trinidad and Tobago, and the type of behaviour that the younger generations have just witnessed taking place from those on the other side is something that we distance ourselves, in the strongest possible manner, from.

Madam Speaker, we are continuing the debate on the Motor Vehicles and Road Traffic (Amdt.) Bill. And just before we ended, the point I was making is that the submissions made by the other side, with respect to the increase in fines, is a misleading submission. It is a fallacy. The only way you become subject to the fines is when you have broken the law. So as the Government of Trinidad and Tobago, we tell persons abide by the law and you will not experience any undue hardship.

Madam Speaker, this Bill has not introduced any new offences. It has increased fines for offences that have been existing since 2000 and 2010, in most instances. But what this Bill does, Madam Speaker, and we think it is very progressive and moving us towards developed world status, for example, can be

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found at Part V(A) of the Bill, the red-light camera system. We have heard previously from the hon. Attorney General and others as to what exactly it is this system is introducing. And it is introducing cameras being put onto red lights to really free up the use of police time and the court system and to use technology.

We heard it being suggested by one of the Members on the other side that what would stop criminals from just changing licence plates. Madam Speaker, that was a very disheartening submission to hear. It reminded me of a time in our history when someone went on television and said do not loot. In other words, those on the other side are once again, in history, indicating to the criminal elements how they should conduct their business. And again, this Government will do everything it can, everything within its power, to ensure that the law is upheld and that it is implemented and there is a proper enforcement of this law. So we commend the Attorney General and the Ministry of Works for bringing legislation to finally introduce cameras for breaking red lights and for the increase on the fine for breaking red lights.

Madam Speaker, the fixed penalty enforcement and administration found at Part V of the Bill is very, very important in addressing some of the difficulties being experienced in the criminal justice system. Any practitioner or anyone who has had cause to experience the Magistrates' Court system, would be aware of the vast amount of time that is wasted, very, very precious judicial time, in dealing with small traffic offences.

So what this is seeking to do now is to free up both the police service, as well as the criminal justice system to allow there to be an easier way. And rather than persons having to come to court, they can go ahead and pay their fines and then only come to court if they want to object to the offence to which they are being charged.

Madam Speaker, another area that I commend is the legal proceedings demerit points suspension and cancellation of driving permits found at Part VI(a) of the Bill. And this demerit points system is again something that we commend. It is something that is very progressive. And what you find now, for the first time, Madam Speaker, is a system such as that which exists in other developed countries, that when you have offended the traffic laws, your licence will attract certain demerit points, and when you reach a certain level, your licence will be revoked.

Madam Speaker, the policy—and really every piece of legislation must have a policy behind it—is that we as the legislators are trying to push forward and move

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people away from breaking the traffic laws. We have seen, in our opinion, every single death that takes place on the road is one too many, and what we are doing here is trying to discourage people from breaking the laws, the speeds limits, forcing them to use their seat belts, or encouraging them, via bigger fines, and the demerit system, do not break the red lights, et cetera.

Madam Speaker, I commend this legislation. We support the Attorney General in bringing this forward. The last point I would like to address, and it has really been addressed before and I just want to enforce it, is that this Bill does not require any constitutional majority. Madam Speaker, those on the other side have, for too long, been trying to mislead the population and to lead attacks on very good legislation by suggesting it runs foul of the Constitution. There is absolutely nothing in this Bill, Madam Speaker, that runs foul of the Constitution or affects anyone's constitutional rights. It does not require any special majority whatsoever.

Madam Speaker, again, on behalf of Port of Spain North/St. Ann's West, we would like to distance ourselves from what we have seen here this afternoon. I place on the record that those on this side do not see the elements that were being suggested by those on the other side. We gave our undertaking to the people of Trinidad and Tobago that every creed and race shall find an equal place under this PNM administration. [*Desk thumping*] Thank you very much, Madam Speaker.

Madam Speaker: Member for Point Fortin? Attorney General.

The Attorney General (Hon. Faris Al-Rawi): Madam Speaker, thank you. Madam Speaker, it is the 23rd of June, 2017, and I rise to wind up this debate. A lot has been said. But I do so in a week where there has been a significant amount of difficulty in our nation.

It seems almost a blur that we were greeting Tropical Storm Bret close to midnight on Monday of this week, dealing with the rainfall as it came on Tuesday morning, and certainly on Tuesday itself and Wednesday we have been out on the field. In fact, on Tuesday business went back to normal. The laws of Trinidad and Tobago were being debated in the Senate on Tuesday. On Wednesday we are on the ground moving as a country, as we did straight through from Monday to Wednesday then. Thursday we came back to Senate again, work continued and Friday we are again in the House.

I say this as I wrap up this debate to demonstrate that the laws of our country have to continue to work and systems and procedures have to continue to be implemented. And as I stand, not for the first time, unfortunately, to wrap up a

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debate in a Parliament with no Opposition opposite me, I must point out, for the record, that the business of the people of Trinidad and Tobago, in the Parliament of Trinidad and Tobago, which is responsible for the creation of laws in Trinidad and Tobago, causes us to have to do our work and I wish to distance myself, most respectfully, and the Government, from the walkout by the Opposition.

Madam Speaker, it is incumbent to wrap up a debate properly. We have looked at the submissions of the hon. Members opposite. I remind that this Bill comes from the Senate. In the Senate, we spent several days debating this Bill and we went through all of the amendments that find themselves now before this House, in the Bill which has come to the House for debate.

The issues raised by Members opposite are not far different from those raised in another house, essentially. Firstly, they dealt with the issue of an alleged unconstitutionality of the Bill. The Member for Oropouche East, in his usual comedic fashion, and I do not mean that pejoratively but he tends to laugh a lot during his contribution, pointed out that the Bill was somehow unconstitutional. The Member for Caroni Central said the opposite. The Member for Siparia has often drawn the entreaties, "Hurry up and bring this Bill and we will support it". But the Opposition was all over the place in this Bill. There was no consistent approach on the part of the Opposition, not even as to the issue of constitutionality.

The Member for St. Joseph and the Member for Port of Spain North/St. Ann's East touched the issue of constitutionality. I would just, again, for the record state in summary form the Bill does not traverse any aspect of constitutionality.

Clause 9 of the Bill, which introduces a new section 20C, section 20B, section 20C, which are cornerstone features of the Bill, provide for the acknowledgment in legislation that it is a conditionality of your driver's permit and a conditionality of owners who use the roadways that they must obey the laws attached to the Motor Vehicles and Road Traffic Act. That being said, the allegation coming from the other side is that somehow the enjoyment of property in section 4(a) of the Constitution is being traversed, somehow equality before the law in 4(b) is being traversed, somehow equality of treatment in 4(d) is being traversed. I even heard so far from hon. Members opposite that section 5(e) and 5(h), which deal with fair hearing and procedural provisions were being traversed.

Let me discount 5(e) and 5(h) of the Constitution immediately by saying that there is no way that 5(e) and 5(h) could arise, because those relate to the matters of treatment under the criminal law and we have specifically decriminalized the laws in making traffic offences converted to traffic violations. So that could not arise.

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Relative to the right of enjoyment of property and equality before the law, et cetera, again, I must repeat not all of the section 4 rights are strictly absolute rights. The Constitution itself recognizes them as qualified rights. In the context of there being qualified rights, the Privy Council, as the leading authority for the interpretation of our laws, in the frontline case of *Suratt* and in the Court of Appeal decision of *Northern Construction*, have set out the conditions where an abrogation of rights can happen. Not saying that that is the case but in fact just simply address the issue of a breach of a section 4 right, this cannot be the case. The law is proportionate within the meaning of section 13 of the Constitution in a democracy such as Trinidad and Tobago.

The law goes no further than to state the existing principles of law within the dicta of Baroness Hale of Richmond in *Suratt*, and the law in fact ameliorates the position of persons who were previously under threat of criminal sanction in the previously decriminalized aspect of the law by moving them to traffic violations and specifically by putting a balance of proof now down from proof beyond reasonable doubt to a balance of probabilities. So far from this Bill causing any constitutional problem, it alleviates the strictures which would otherwise be visited upon individuals under the criminal law. That is the actual fact in relation to constitutionality. There is no vested right in any particular procedure that has been traversed, again in the Privy Council in the seminal judgments in *Hilroy Humphrey* and, therefore, we cannot be talking about that.

Hon. Members have spoken in this allegation that the Government is somehow intent upon this being a money Bill and this is all about revenue. Let me deal with that point comprehensively. We are seeking, as a Government, to amend Chap. 48:50, which is the existing motor vehicle and road traffic laws. We are also amending the law further by repealing Chap. 48:52, which is the Motor Vehicles and Road Traffic (Enforcement and Administration) Act. We take the content of Chap. 48:52. We pour that into Chap. 48:50.

We are achieving four purposes in law: number 1, we are decriminalizing traffic offences and creating traffic violations, standing on the bedrock of the conditionality of user, as we have described in the new sections 20A, 20B and 20C. Secondly, we are putting the use of technology into operation by introducing red-light camera enforcement systems. Thirdly, we are introducing a remodelling of fixed penalty offences; and fourthly, we are introducing the much vaunted demerit points system for which there have been legislative attempts since the year 2000. That is what this Bill is achieving.

In doing that, we counter the argument by the Member for Caroni Central that

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there is no nexus to an improvement in the criminal law and we say that this Bill is squarely designed to alleviate the problems that we are facing in the criminal justice system.

We have said, as a matter of record, that there are 100,000 cases in the Magistracy where criminal offences stand before the court. We have said that the current backlog is that number. We have said that there is a mechanism to take all of the matters go forward out of the court. I can state now that as a result of the consultation with the round table of contributors: the Judiciary, Licensing Authority, Trinidad and Tobago Police Service, traffic wardens, that we have, in fact, gone very deep into the concept of how we will call matters forward before the court and begin to move them out of the arena of backlog.

The purpose for that is squarely tied into the Bill, because we are amending the law in section 10A of the parent law, Chap. 48:50, to add a greater persuasive power for traffic wardens. All that we do, and I remind that that law for traffic wardens came about in the year 2000. Members here speak as if it is something new. When we look to the parent Act and we look to the introduction of section 10A, we can see clear as day section 10A: appointment and functions of a traffic warden, was done by Act No. 21 of 2000. And the law for breaching or not following the directions of a traffic warden is: if any driver fails to comply with directions given by a traffic warden while on duty or obstructs a traffic warden in the execution of his duties, et cetera, that person is guilty of an offence and liable on summary conviction to a fine of \$300 or to imprisonment for six months. All that we have done is to take the \$300 up to \$10,000.

But Members opposite speak as if we have done something new for the first time ever. We are in 2017. Seventeen years ago this law was amended to create a summary offence with a fine of \$300 and the experience, on review, has showed us that there is no persuasion in the \$300 fine because I remind that the law, when expressed at \$10,000, is an indication of maximum penalty and there is a discretion in the Summary Courts to provide otherwise in the inherent jurisdiction of the courts or under the Summary Courts Act. In particular, people can even go under section 71 of the Summary Courts Act to ask for even a reprimand and discharge. So it makes an absolute nonsense of the arguments put forward by hon. Members opposite that we are doing something new in this law.

Madam Speaker, there is a complete proportionality because what we are doing on top of this, I remind, is in dealing with the free-up of the Trinidad and Tobago Police Service, we are empowering traffic wardens to do their job. We are taking the Trinidad and Tobago Police Service, the Traffic Branch. We are

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saying that 100 per cent of the Traffic Branch does not need to go to court. Of the 100,000 cases in the system, that requires 100,000 complainants who issue a summons. That summons must be served. If you are not served, a warrant must be then issued and then served upon you. Proof of service must be filed in the court. The policeman must turn up for the 100,000 matters. The magistrate must sit and we must see whether the defendant comes to court or not.

There is on average anywhere between a 30 to 40 per cent overall compliance rate in the 100 per cent utilization, and what we say now is, instead of calling all of those resources, bringing the TTPS into operation for 100 per cent of the time, come to court when you the offender wishes to come to court. You tell us when you want to come to court by issuing a notice to contest. You will then have the court moved and if you do not come, then section 44 of the Summary Courts Act, equivalent under this legislation, kicks into effect where the matter can proceed with, as the existing law does, *ex parte* in your absence.

So we have removed the requirement for the police to be locked up in court serving warrant and serving summons, and that has got to redound to the benefit of crime management and suppression in this country, because we need the Trinidad and Tobago Police Service to do their job.

Of the 53 prosecutors in the Summary Court, in the Magistrates' Court, eight of them only are lawyers. Of the 24 lawyers otherwise in the police service, there are only 24 others. So that is eight and 24. We are lacking the capacity in the Trinidad and Tobago Police Service and Members opposite cannot make even an agreement amongst themselves as to why they are opposing the legislation. I cannot, for the life of me, understand how a Parliament could experience a walkout today, inconsistency in argument, on a law that is so squarely intent upon ameliorating the circumstances of the people of Trinidad and Tobago. I cannot understand it.

But it fits in with the pattern observed in the Senate on this Bill, where the Members of the Opposition stretched it day after day, making no sense at all, making contributions which the Government listened to, only to then say no to the Bill. Thank God there was an Independent Bench available to lend support so that this Bill could come to the House of Representatives.

Madam Speaker, hon. Members said that this Bill was to raise revenue. The Member for Oropouche East, in his usual laughing at himself fashion, came back to us again and said "dey raining fines on people, just like rain dey raining fines." Let me deal with that. Madam Speaker, we pulled a matrix to compare exactly

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what we are dealing with. Let me put it to you this way. The Ninth Schedule, which clause 47 of the Bill refers to, sets out in a unified one-document fashion what the breach of the offence is, now violation. It sets out what the fine is and it sets out the demerit points.

That Ninth Schedule was created by a composition of the sections of the Act, which we pulled into the schedule. The schedule is, for the first time, one comprehensive document, but it came from the existing law. But Members are so intellectually lazy, void, or rather unwilling, intellectually unwilling, to do the work just to simply find out that of the matters listed in the Ninth Schedule every last one of them comes from, in large part, the Act itself.

So let me give you an example the existing law. Using or altering a motor vehicle or trailer for purposes not authorized. That comes from section 21(b). Public service vehicle carrying excess passengers, fine of \$750, four demerit points. That comes from section 21(c). Goods vehicles carrying excess weight. That comes from 21(c). Motor vehicle with the windscreen or any other window fitted with glass so tinted treated or darkened as to obscure the view of the inside, we had a song and a dance about that: what does that mean? How do you test? That is the existing law in section 23(1)(d). That is the law. The \$2,000 penalty, is the same law it is right now.

So we go through line after line. Riding motorcycle without safety helmet, Motor Vehicles and Road Traffic Act, Chap. 48:50, section 43(1). Driving while disqualified from holding or obtaining driving permit, that is section 42. Offence of driving instructor, Motor Vehicles and Road Traffic Act, Chap. 48:50, section 46. But if the hon. Members were—how should I say this as best as I can? If they were as diligent as they are supposed to be and less interested in flood politics and less interested in storming out the Parliament, they would simply have done the matrix approach. Or better yet, they would have bothered to talk to the Senators in the UNC who received the very schedule I am referring to now.

Because, hon. Speaker, this Government has taken an approach that no other Government has. We have provided the working material for Senators and for Members of the House to use. We provide track-changed documents. We provide aids for interpretation. We provide for them the cross-reference table and matrix. We even take their comments and we provide reasons why we do not agree with their comments in writing. No other Attorney General in the history of Trinidad and Tobago has done that. [*Desk thumping*]

And you know why they have not done that? Because usually there is a fear: “If ah show dem what ah have they will come with something better.” It is

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one-upmanship. “Nah wait on de floor and ah drop it on the floor so dey have no time.” I am not interested in that. This Government is not interested in that. This Prime Minister, in allowing the privilege that I have just expressed to portray itself in actuality, has said: “Here is the intellectual property. Here is the product. Here is where we got to it from. Here is why we are dealing with it this way. May we have your view on the product?”

It is no different from what we did on FATCA. We did exactly that in writing, on FATCA, when they walked out three times. We put it in writing. We had not one amendment from them. They were in the newspapers giving full-page ad paid for by the Parliament as their views. We took the ad. We wrote our responses. We have taken an approach to legislation that no other government has ever taken before. And I do not say that in any self-praise but it is to explain to the people of Trinidad and Tobago how serious we are. And it is not that I am any rocket scientist in that regard. That is the effort and work product of the hard-working civil servants and public servants in the Government of Trinidad and Tobago. [*Desk thumping*]

7.40 p.m.

So, Madam Speaker, the so-called raining of fines and where all of these silly offences came from—so convincing are they that I received a call from a couple of my members saying: “What is that they are talking about—taxi driver and tinted and stuff?” I went back and checked every single regulation. Every single aspect of the law is the existing law, but what we said as an undertaking on the Parliament record is that we are traversing that right now, and we intend to amend it in a holistic fashion, because I have pulled the statistics for offences for every single registration that is in the laws of Trinidad and Tobago, so that I would know what the actually usage is, statistically driven.

May I remind, it is this Government that has this country talking about who and what we are honestly for the first time: how many child marriages we have; how much it cost to deal with our prisoners; how many road traffic offences we have; how many cases in arrears; how many judges we have or do not have; what the health sector looks like in the Welch Committee Report; what the Trinidad and Tobago Police looks like in a manpower audit; and what the agricultural industry looks like. A master gas plan was laid in this Parliament by this Government. But, you see, all of this gets buried under flood politics—tall boots, mud walking, mud-slinging politics.

There is no need for Trinidad and Tobago to shut itself down in every tropical thunderstorm. No need. We have to work our way out of the event [*Desk*

thumping] and I condemn people that stay home or encourage staying home to work. The Senate went to work on the Tuesday. We were in the Senate. We were in the courts. The Chief Justice called and said: “Are we on, green light?” I said: “Chief Justice we are on, we are open” because we have prisoners to move, people expecting their cases to be called, and that is what responsibility is. Responsibility is not “mamaguy”; it is not gallery, it is not talk of racism and it is not flood politics. I am very upset that the Opposition is not here to even hear a word of that we are saying.

Dr. Rowley: Using a genuine hardship situation.

Hon. F. Al-Rawi: Absolutely correct. Using a genuine situation of hardship in our country to create pandemonium and division along the worst lines possible, the talk of race, Madam Speaker. That is where the Parliament of Trinidad and Tobago is today on the 23rd of June 2017 at 7.43 p.m. and 10 seconds. That is where we are.

So, Madam Speaker, it is no rain of fines, it is the existing law. We did take the opportunity to improve some of the fines. We went through every single one of the demerit points, we adjusted them. The issue of whether the Minister should have the ability to amend the Schedule, as the Minister does in the existing law, has been the feature of existing law for donkey years. All of a sudden, affirmative resolution required, put it in the parent law. Do you know why, Madam Speaker? So that we can come and spend time in the Parliament debating hours and hours and hours going in circles when the existing law, there for all time usage—certainly under the period 2010 to 2015—never changed—is let the Minister do it by regulations or Schedules, but all of a sudden it has to change. And do you know why, Madam Speaker, most respectfully in my view? It is because it is the only way that the Opposition will make itself relevant; to obstruct the course of the passage of laws in this country.

Madam Speaker, we have spoken to constitutionality. We have spoken to the illogical, reprehensible allegations that this is all about money. It is the existing law which the UNC put into operation for the whole five years and three months that they were in office for. But did you once hear the People’s National Movement in Opposition make the allegations raised? Not once was it raised. This approach to improving the law that we have taken, which is to operationalize at the same time that we legislate is the only approach to change the first issue spoken about, which is how law can change culture. It is true that if you break—*[Interruption]* Procedural Motion, Madam Speaker.

Motor Vehicles (Amdt.) Bill, 2017
[HON. F. AL-RAWI]

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Madam Speaker: Leader of the House.

PROCEDURAL MOTION

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 15(5), I beg to move that this House do sit until the completion of the business before it.

Question put and agreed to.

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

Hon. F. Al-Rawi: Thank you. Madam Speaker, the fact is we have thought out the implementation and operationalization of this law. The hard-working members of the Ministry of Works and Transport and Licensing Division and the Judiciary and the TTPS have sat down and filled in all of the data and information that was not done. It was halted in the period 2010 to 2015. Driver's licence has gone to a new level with new security features. We can expect that driver's licence unique identifier access points are going to be provided to the whole million people on the database by email access, so you will know what your demerit points look like; you will know what the access to that system looks like, you will be able to receive your information from the Licensing Authority about your points and communication and that takes care of how we communicate with the driving public of Trinidad and Tobago.

Ahead of us, next stage, is the calling for license plates, et cetera, after we consider as a Cabinet the final regulations to cause the operationalization of the RFID tag plates. We are fully in operation with the wide area network and local area network between Judiciary, fixed penalty notice issuers, Licensing Authority, the red-light cameras, the spot checkers that are coming to major archways and in that way, the infrastructure goes to work much like it does in the flooding. This kind of infrastructure is to lead the way.

Leadership is not who is first to put on their boots and walk in floodwaters. That is gallery for picture. Leadership is not about taking donations from contractors not knowing where it comes from and handing it out to people nilly-willy. It is about organization, structure and ensuring that our society goes to work, Madam Speaker. We have matrixed this out; we are prepared to operationalize and we are confident this law is good law, and in those circumstances, I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Motor Vehicles (Amdt.) Bill, 2017

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Bill committed to a committee of the whole House.

House in committee.

Madam Chairman: Clause 1.

Mr. Al-Rawi: Madam Chair, may I make a proposal for your consideration? The Government has considered carefully the proposals by the Opposition in the debate. There were no proposals circulated as required under the Standing Orders for amendment, particularly insofar as we received significant amendments in the Senate. I humbly propose, in light of the Government's position, that there are no amendments that we have coming out of the debate into this Bill that we could perhaps consider taking this Bill in group fashion subject to your consideration.

Madam Chairman: Attorney General, the difficulty is that the Bill is not presented in such a form that we can say Part I, Part II. It is not presented in that way. So while it may appear as a reasonable request, I cannot, regrettably.

Mr. Al-Rawi: As you please, Madam Speaker.

Madam Speaker: But having regard to all that you have said, we should be able to proceed quickly if all Members are present.

Clauses 1 to 5 ordered to stand part of the Bill.

Clause 6.

Question proposed: That clause 6 stand part of the Bill.

Dr. Rowley: Madam Chair, from my own observation, is it our intention to go clause by clause?

Madam Chairman: Prime Minister, as tedious as it may be, I have been advised that I have no other option based on how the Bill—

Dr. Rowley: That is why I am questioning, because I do not know where that advice came from Madam Speaker, because I have been in many, many committees, and we have taken—if someone who is present wants to make an intervention on any clause, then you can but if we are taking the clauses we can go 4 to 7, 10 to 15, as we choose in block, but there is no requirement to go and repeat every single clause. I have been in very many committees in this House.

Madam Chairman: What has been the experiences, as I indicated on the intervention made by the Attorney General, if the Bill is formatted in respect of parts, we can take parts. This Bill is not formatted in parts. There are parts, but they are part of the amendment, the original Bill so that it cannot be done like that.

What I can possibly do—

Mr. Imbert: Madam Chairman, may I say something?

Madam Chairman: Minister of Finance.

Mr. Imbert: Within my 25 years in this place, there have been many pieces of legislation which are not in parts and clauses have been done in batches of five and 10. I have experienced that on many occasions over the last 25 years and, therefore, I do not think the advice you have received is accurate.

Madam Chairman: What I would say, therefore, that we can do it in batches, but we cannot do one to 47. Okay? So we have reached five and, therefore, what we will do in proceeding, we will do clauses 6 to 10.

Mrs. Robinson-Regis: Thank you very much, Madam Chairman.

Dr. Rowley: Thank you very much.

Question put and agreed to.

Clause 6 ordered to stand part of the Bill.

Clauses 7 to 49 ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Mr. Al-Rawi: Madam Chair, just before you put that, just for the record and so that we are very, very comfortable. I just refer the House to Standing Order 72, which in fact expressly provides us with the privilege to put groups of clauses forward so that—once there are no amendments. So I feel very comfortable with that fact, just for the record. Thank you. I apologize for interrupting.

Madam Chairman: Noted, Attorney General.

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

House resumed.

Bill reported, without amendment, read the third time and passed.

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that the House do now adjourn to Wednesday the 28th day of June at 1.30 p.m.. Madam Speaker, on that day we will do the Miscellaneous Provisions (Trial by Judge Alone) Bill, 2017. Madam Speaker, before we do adjourn, however, I

Adjournment

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would like to request that we be allowed to give Eid greetings. Thank you.

Madam Speaker: Hon. Members, as we are all aware that during this weekend the Muslim community will be ending their month-long fast for Ramadan and will be observing the day of Eid-ul-Fitr. On the day of Eid-ul-Fitr, members of the Muslim faith attend mosques to pray, to listen to sermons and to give alms to the poor. For Muslims, this most holy day in the calendar, Eid-ul-Fitr, not only marks the end of the fasting of the month of Ramadan, but is also the first day in the month of Shawwal. I will now call upon Members to express greetings on this occasion of Eid-ul-Fitr.

Greetings (Eid-ul-Fitr)

The Attorney General (Hon. Faris Al-Rawi): [*Arabic spoken*] I bring you on behalf of the Government of Trinidad and Tobago, greetings for the festival of Eid. Madam Speaker, Eid-ul-Fitr, “Eid” in Arabic meaning celebration, “ul-Fitr” literally referring to the fast—the celebration of the breaking offast—is one of the two sacred observations of all Muslims around the world. We will be looking for the moon which is the signal or the “Hilal”, the crescent moon with the star, to be found usually first in Saudi Arabia and then announced anywhere between the period of Sunday to Monday night into Tuesday. This Eid, Eid-ul-Fitr, is in fact also referred to as “Eid-ul-Salir” or the smaller Eid because it is in reference to the fact, much like Christianity, that it is “Eid-ul-Adha” or the festival of the sacrifice which is the more sincere and solemn of the obligations, not too far different from the crucifixion of Christ as it is to Christmas.

These two Eids constitute reflection for humanity. The Eid-ul-Fitr which we are celebrating now, really centres around the five pillars of Islam and the five pillars of Islam are of course: Shahada which is faith; Zakat which is charity; Salat which is prayer; and we of course come to Sawm which is fasting and Hajj which is the pilgrimage to Mecca. It is after the pilgrimage period that Eid-ul-Adha is actually celebrated, and that again finds commonality in religion, because it is in reference to “Abraham” or “Abrahim” as he is referred to in the *Bible* being called upon by God to give the ultimate sacrifice of his son, and God so favoured his sacrifice that he, in fact, exchanged his son for a sheep. This element of sacrifice is born into an element of celebration.

Ramadan when it first came about was really the longest hottest month in the

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Islamic Calendar. The Islamic Calendar is a lunar calendar and in that lunar calendar, when the Prophet, may peace rest upon him, came upon the scriptures as revealed to him, the Holy Qu'ran, the Prophet was actually dealing with the fasting period being the longest hottest month of Ramadan, that in the Middle East means that somewhere around 2.00 a.m. it is sunlight and somewhere around 10.00 or 11.00 o'clock at night it is actually sunset. So the fasting was a very long period from sunrise to sunset.

In that period of fasting one is required to reflect upon the simple realities of life: hunger, reflection upon God, charity and commitment because when you come to the breaking of your fast you are actually intended to break fast with those less fortunate than you. And very much in the other parts of the world which are larger in Islamic coverage, that breaking of fast every evening is, in fact, a very grand event for the entire month of Ramadan where streets are made open and people come in and those who are in hunger or in poverty are fed without question, and a whole month of that tradition takes us into a reflection which actually carries on for the rest of the year.

Islam has been under a significant amount of attack around the world, largely borne about through the actions of certain people who claim to adhere to Islam, but who like persons before in our history—be it the Spanish inquisition or otherwise—are really people that twist the beauty of Islam and its submission to the will of Almighty Allah.

For Trinidad and Tobago, the end of Ramadan, the beginning of the month of Shawwal, the first day of Shawwal which is the end of Ramadan is Eid-ul-Fitr, and it is that day that charity and prayer is obligatory to all Muslims. It comes at a very good time for us. We have just gone through some significant events as a country. It is through the charity of the volunteers in our society and the hard-working public servants and the maintenance of calm and order that our society is working its way through the difficulties, no doubt guided by Subhan Allah. As it is said, the will of God or the blessings of God or the guidance of God.

God is referred to as the Most Beneficent and the Most Merciful in the superlative sense, "Bismillahirrahmanirrahim" as the saying goes, in the name of God the Most Beneficent, the Most Merciful, signifying the epitome of mercy and beneficence. In those circumstances, the Government of Trinidad and Tobago is very pleased to join with the Muslim community and in true Trini fashion, the Christian community, the Hindu community, because we grew up in a society where there was religious tolerance and reciprocity of religion. Certainly, in San

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Fernando we grew up that way, where we celebrated all and the rest of Trinidad is very much the same, Tobago as well and there is a strong Muslim population in Tobago as well.

So, Madam Speaker, it gives me great pleasure on behalf of the Government of the Republic of Trinidad and Tobago to say Eid Mubarak, celebration which is a large and successful one. Congratulations on the celebration of Eid-ul-Fitr. May the blessings of Almighty Allah shower upon us. Permit me just to explain lastly one last point. Allah in Arabic is a combination of two words “al-ilah”, “al” meaning “the”, the definite article, “ilah” meaning God, any God—a God of stone is an “ilah”; a God of wood, a God of whatever you may call it—“al-ilah” is in reference to The God, The Supreme God, the epitome, the Omnipotent God, and in Christianity one refers to God as Allah as well in Arabic. So when we say “in the name of Allah and the blessing of Allah”, it is truly a word for all of Trinidad and Tobago. I thank you, Madam Speaker. [*Desk thumping*]

Madam Speaker: Hon. Members, I too stand to extend Eid-ul-Fitr greetings to the Muslim community and to all citizens of our nation. As indicated in the greetings of the Attorney General, one of the significant pillars of Eid-ul-Fitr is charity as demonstrated in the giving of alms. I respectfully wish to encourage all citizens to adopt a charitable outlook in the giving of not only of our material goods but in the giving of our time, our talents and skills in the service of others and for the promotion of our common good.

The call to charity in its wider sense is all the more topical at this time as many of our citizens have suffered loss and are enduring hardship in the aftermath of the Tropical Storm Bret, which we experienced a few days ago and, therefore, there exists a pressing need for each of us to reach out and assist those afflicted fellow residence in some form or manner.

Let us as a nation use this occasion to impress on ourselves the virtues of temperance, compassion and selflessness which all flow from adopting a charitable outlook and which shall redound to the creation of a better Trinidad and Tobago. May we all manifest charity in the celebration of Eid-ul-Fitr. Eid Mubarak.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.11 p.m.

Written Answer to Question

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WRITTEN ANSWER TO QUESTION

The following question was asked by Mr. David Lee (Pointe-a-Pierre) earlier in the proceedings:

Renewable Energy Projects

(Details of)

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

Given that \$18 million was allocated to the Ministry for the use and development of projects in renewable energy in fiscal 2017, could the Minister state:

- (a) details on the money expended to date; and
- (b) the projects undertaken in the past year to facilitate renewable energy?

The following reply was circulated to Members of the House:

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): a. The allocation of \$18 million for renewable energy projects was reduced to \$17 million by the transfer of \$1.0 million to meet the cost incurred by the National Petroleum Marketing Company (NPMC) for the installation of a mobile pump tank at La Ruffin as approved by Cabinet. Of the reduced allocation of \$17 million, to date the sum of \$894,731 has been expended or committed on renewable energy projects and initiatives as follows:

- (i) Caricom Energy Month, November 2016: Based on a mandate from Caricom Energy Ministers arising from the 35th Meeting of the Council for Trade and Economic Development (COTED) in 2011, Caricom Energy Week (CEW) was established as an annual event held in the second week of November. This event is intended to provide a regional platform for increased awareness about energy matters, given the critical importance of energy to economic development. To allow for greater efficiency in planning for the event, CEW evolved into Caricom Energy Month in November 2016. The cost of hosting of Caricom Energy Month activities was \$229,699.
- (ii) Hosting of Second Preparatory Meeting for the Third Energy and Climate Partnership of the Americas (ECPA) Ministerial Meeting: Trinidad and Tobago, through the Ministry of Energy and Energy

Industries, is a member of the Steering Committee of the Energy and Climate Partnership of the Americas (ECPA), which was established at the Fifth Summit of the Americas held in April 2009 in Port of Spain, Trinidad and Tobago.

The Third ECPA Ministerial Meeting is due to convene in Chile, during the period September 7th - 8th, 2017. To set the foundation for this Third Ministerial Meeting, the Second Preparatory Meeting was convened in April 2017, in Port of Spain, and was jointly hosted by the Ministry of Energy and Energy Industries and the Organization of American States (OAS). The cost to the Ministry of co-hosting this event was \$165,032.

- (iii) Consultant to prepare an RFP for engagement of a contractor to establish a Waste to Energy Plant at the Beetham Landfill Site: Cabinet agreed that the Ministry of Energy and Energy Industries engage a technical consultant to provide support towards the establishment of the said waste to energy facility at the Beetham Landfill Site. In pursuance of this Cabinet decision, the Ministry of Energy and Energy Industries has recently signed a contract with a Canadian Consultant, WN2 Environmental Consulting, to develop an Expression of Interest (EOI) followed by an RFP. The cost allocated to the hiring the consultant is \$500,000.
- b. In addition to the above, projects which were undertaken to facilitate renewable energy in the past year were as follows:
 - (i) Short-Term Expert Mission providing technical support for Renewable Energy & Energy Efficiency Roadmap and Clean Energy Conference: The Ministry of Energy and Energy Industries is currently receiving technical support from the European Union (EU) Technical Assistance Facility for the Sustainable Energy for All Initiative. The deliverables include an RE & EE Road Map to 2021/2030 which will, inter alia, analyse the remaining gaps and define short-term/longer-term measures to achieve the targets of 10 per cent RE power generation by 2021 and 15 per cent greenhouse gas (GHG) emissions reductions by 2030 as outlined in T&T's Intended Nationally Determined Contribution (INDC).
 - (ii) Renewable Energy (RE) Grid Integration: At present, the Ministry of Energy and Energy Industries is collaborating with the Ministry of Public Utilities on the development of a legislative brief which

will inform amendments to the T&TEC and RIC Acts to facilitate RE Grid Integration.

- (iii) RE Product and Technical Standards: The Trinidad and Tobago Bureau of Standards, the Ministry of Energy and Energy Industries, and other stakeholders have developed product and technical standards and guidelines for flat-plate photovoltaic systems. The Ministry of Energy and Energy Industries is also currently a member of a local Technical Working Group led by the Trinidad & Tobago Bureau of Standards, which is collaborating with the Caricom Secretariat and the German Agency for International Cooperation on the development of a regional energy efficiency building code.
- (iv) Monitoring and evaluation of the RE and EE Schools Education Project: The Ministry of Energy and Energy Industries in collaboration with the Curriculum Division of the Ministry of Education and UWI, conducted a post implementation analysis of the RE and EE Schools Education Project, which entailed the installation of solar photovoltaic systems and distillation systems. The findings will be utilized to inform the implementation of the next phase of the programme.
- (v) Solar LED Lighting system for playing fields: The Ministry of Energy and Energy Industries has been investigating the potential of the use of solar LED lighting at the nation's rural playgrounds given the significant energy savings. A pilot project is being envisaged involving three (3) playing fields to be identified. Preliminary research undertaken by the Ministry of Energy and Energy Industries and the Sport Company of Trinidad and Tobago (SporTT) revealed that the proposed pilot project can provide sustainable lighting for community fields, reduce the usage of natural gas generated electricity, and provide a platform for public awareness. The life cycle of the system is approximately six years and requires minimal maintenance. The Ministry of Energy and Energy Industries is in the process of liaising with the Ministry of Sport and Youth Affairs and SporTT to start the planning and development of the project. The estimated cost is \$2,000,000 per football size playing field.