



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

2nd Session - 11th Parliament (Rep.) - Volume 7 - Number 49

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE BRIGID ANNISSETTE-GEORGE
SPEAKER

THE HONOURABLE ESMOND FORDE
DEPUTY SPEAKER

Friday 8th September, 2017

CLERK OF THE HOUSE: JACQUI SAMPSON-MEIGUEL

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CONTENTS

	Page
LEAVE OF ABSENCE	233
PAPERS LAID	233
PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE REPORT (Presentation)	
National Gas Company of Trinidad and Tobago Limited ...	243
JOINT SELECT COMMITTEE REPORTS (Presentation)	
Geriatric Care Facilities/Old Age Homes	244
Regulation and Licensing of Medical Doctors	244
Insurance Bill, 2016	244
FIFTEENTH NATIONAL YOUTH PARLIAMENT (Participants)	
URGENT QUESTIONS	
Forensic Science Centre (Treating with Autopsies)	245
Prison Detainees (Use of Electronic Devices)	246
Brian Lara Cricket Academy (Poor Parking and Lighting)	247
Caricom Countries (Hurricane Relief for)	248
National Reforestation Programme (Unpaid Wages to Employees)	249
ORAL ANSWERS TO QUESTIONS	
TTPS Task Force (Status of) [Deferred]	251
Chandangore/Perseverance Road (Manholes)	252
Commissioning of Lights (Union Village Grounds)	252
Traffic Alleviation Plans (Borough of Chaguanas)	253

National Insurance System (Consultations to Implement Change)	254
Underutilization of Sport Facilities (Current Initiatives for)	255
South-West Regional Health Authority (Details of Appointment)	257
Cargo and Passenger Vessels (Reoccurring Problems)	258
Brian Lara Cricket Academy (Cost for Catering Services)	259
Generic Brands of Pharmaceuticals (Importing Details)	260
Former Commissioners of Enquiry (Provision of Legal Counsel)	260
Schedule for School Repair and Maintenance (Constituency of Naparima)	261
Trinidad and Tobago Police Service (Number of Available Vehicles)	261
DEFINITE URGENT MATTERS	
Children’s Life Fund Authority (Assistance of)	262
National Security Apparatus (Collapse of)	263
BAIL (ACCESS TO BAIL) (AMDT.) BILL, 2017	
Senate Amendments	263
CRIMINAL PROCEDURE (PLEA DISCUSSION AND PLEA AGREEMENT) BILL, 2017	
Senate Amendments	278
ADJOURNMENT	
[<i>Hon. C. Robinson-Regis</i>]	281

Leave of Absence

Friday, September 08, 2017

HOUSE OF REPRESENTATIVES

Friday, September 08, 2017

The House met at 1.30 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, the following Members have been asked to be excused from today's sitting of the House: Miss Nicole Olivierre, MP, Member for La Brea; Miss Marlene Mc Donald, MP, Member for Port of Spain South; Hon. Cherrie-Ann Crichlow-Cockburn, MP, Member for Lopinot/Bon Air West; Mr. Barry Padarath, MP, Member for Princes Town; and Hon. Maxie Cuffie, MP, Member for La Horquetta/Talparo. The leave which the Members seek is granted.

PAPERS LAID

1. Audited Financial Statements of the Trinidad and Tobago Mortgage Finance Company Limited for the year ended December 31, 2016. [The Minister of Finance (*Hon. Colm Imbert*)]
2. Audited Financial Statements of the Trinidad and Tobago Free Zones Company Limited for the financial year ended December 31, 2016. [*Hon. C. Imbert*]
3. Audited Financial Statements of Community Improvement Services Limited for the financial year ended September 30, 2013. [*Hon. C. Imbert*]
4. Audited Financial Statements of Community Improvement Services Limited for the financial year ended September 30, 2014. [*Hon. C. Imbert*]
5. Consolidated Financial Statements of Evolving Tecknologies and Enterprise Development Company Limited for the financial year ended September 30, 2015. [*Hon. C. Imbert*]
6. Audited Financial Statements of Evolving Tecknologies and Enterprise Development Company Limited for the financial year ended September 30, 2016. [*Hon. C. Imbert*]
7. Audited Financial Statements of Caribbean New Media Group Limited for the year ended December 31, 2015. [*Hon. C. Imbert*]

Papers Laid

Friday, September 08, 2017

8. Audited Financial Statements of Caribbean New Media Group Limited for the year ended December 31, 2016. [*Hon. C. Imbert*]

Papers 1 to 8 to be referred to the Public Accounts (Enterprises) Committee.

9. Annual Report and Audited Financial Statements of the Trinidad and Tobago Securities and Exchange Commission for the year ended September 30, 2016. [*Hon. C. Imbert*]
10. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayaro–Rio Claro Regional Corporation Chairman’s Fund for the year ended September 30, 2012. [*Hon. C. Imbert*]
11. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the National Institute of the Higher Education (Research, Science and Technology) for the year ended December 31, 2009. [*Hon. C. Imbert*]
12. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Telecommunications Authority of Trinidad and Tobago for the year ended September 30, 2009. [*Hon. C. Imbert*]
13. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor’s Fund of the San Fernando City Corporation for the year ended September 30, 2015. [*Hon. C. Imbert*]
14. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation for the year ended September 30, 2011. [*Hon. C. Imbert*]
15. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Fair Trading Commission for the three-month period ended September 30, 2014. [*Hon. C. Imbert*]
16. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Fair Trading Commission for the year ended September 30, 2015. [*Hon. C. Imbert*]
17. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Fair Trading Commission for the year ended September 30, 2016. [*Hon. C. Imbert*]

18. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North Central Regional Health Authority for the fourteen-month period ended September 30, 2005. [*Hon. C. Imbert*]
19. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North Central Regional Health Authority for the year ended September 30, 2006. [*Hon. C. Imbert*]
20. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North Central Regional Health Authority for the year ended September 30, 2007. [*Hon. C. Imbert*]
21. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North Central Regional Health Authority for the year ended September 30, 2008. [*Hon. C. Imbert*]
22. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Regional Corporation for the year ended September 30, 2010. [*Hon. C. Imbert*]
23. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Regional Corporation for the year ended September 30, 2011. [*Hon. C. Imbert*]
24. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Princes Town Regional Corporation for the year ended September 30, 2009. [*Hon. C. Imbert*]
25. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Princes Town Regional Corporation for the year ended September 30, 2010. [*Hon. C. Imbert*]
26. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayaro Civic Centre for year ended September 30, 2013. [*Hon. C. Imbert*]
27. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayaro Civic Centre for year ended September 30, 2014. [*Hon. C. Imbert*]
28. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the College of Science, Technology and Applied Arts of Trinidad and Tobago for the year ended September 30, 2006. [*Hon. C. Imbert*]

Papers Laid

Friday, September 08, 2017

29. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the South West Regional Health Authority for the year ended September 30, 2008. [*Hon. C. Imbert*]
30. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the South West Regional Health Authority for the year ended September 30, 2009. [*Hon. C. Imbert*]

Papers 9 to 30 to be referred to the Public Accounts Committee.

31. Annual Report of Taurus Services Limited for the financial year September 30, 2016. [*Hon. C. Imbert*]
32. Ministerial Response of the Ministry of Finance to the Sixth Report of the Public Accounts [Enterprises] Committee on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Trinidad and Tobago Solid Waste Management Company Limited for the years 2008 to 2013. [*Hon. C. Imbert*]
33. Ministerial Response of the Ministry of Finance to the Fifth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Point Lisas Industrial Port Development Corporation Limited for the years 2008 to 2015. [The Minister of Planning and Development (*Hon. Camille Robinson-Regis*)]
34. Ministerial Response of the Ministry of Works and Transport to the Fifth Report of the Public Accounts (Enterprises) Committee, Second Session, Eleventh Parliament, on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Point Lisas Industrial Port Development Corporation Limited for the financial years 2008 to 2015. [*Hon. C. Robinson-Regis*]
35. Ministerial Response of the Office of the Prime Minister to the Fourth Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Systems in Place to Protect Children from Abuse. [*Hon. C. Robinson-Regis*]
36. Response of the Trinidad and Tobago Police Service to the Fourth Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Systems in Place to Protect Children from Abuse. [*Hon. C. Robinson-Regis*]

37. Ministerial Response of the Ministry of Education to the Fourth Report of the Joint Select Committee on Human Rights, Equality and Diversity into the Systems in Place to Protect Children from Abuse. [*Hon. C. Robinson-Regis*]
38. Response of the Personnel Department to the Ninth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Ministry of Health. [*Hon. C. Robinson-Regis*]
39. Response of the Service Commissions Department to the Ninth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Ministry of Health. [*Hon. C. Robinson-Regis*]
40. Ministerial Response of the Ministry of Finance to the Ninth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the Financial Years 2014 and 2015 with specific reference to the Ministry of Health. [*Hon. C. Robinson-Regis*]
41. Ministerial Response of the Ministry of Public Administration and Communications to the Ninth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Ministry of Health. [*Hon. C. Robinson-Regis*]
42. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the First Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Land Tenure Issues in Trinidad and Tobago. [*Hon. C. Robinson-Regis*]
43. Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the First Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Land Tenure Issues in Trinidad and Tobago. [*Hon. C. Robinson-Regis*]
44. Ministerial Response of the Ministry of Rural Development and Local Government to the First Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Land Tenure Issues in Trinidad and Tobago. [*Hon. C. Robinson-Regis*]

45. Ministerial Response of the Ministry of Tourism to the First Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Land Tenure Issues in Trinidad and Tobago. [*Hon. C. Robinson-Regis*]
46. Ministerial Response of the Ministry of Foreign and CARICOM Affairs to the First Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Land Tenure Issues in Trinidad and Tobago. [*Hon. C. Robinson-Regis*]
47. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the First Report of the Joint Select Committee on Foreign Affairs on the Public Examination of the Draft Summary of the Recommendations and Conclusions of the Forty-First Meeting of the Council for Trade and Economic Development. [*Hon. C. Robinson-Regis*]
48. Ministerial Response of the Ministry of Health to the First Report of the Joint Select Committee on Foreign Affairs on the Public Examination of the Draft Summary of the Recommendations and Conclusions of the Forty-First Meeting of the Council for Trade and Economic Development. [*Hon. C. Robinson-Regis*]
49. Ministerial Response of the Ministry of Trade and Industry to the First Report of the Joint Select Committee on Foreign Affairs on the Public Examination of the Draft Summary of the Recommendations and Conclusions of the Forty-First Meeting of the Council for Trade and Economic Development. [*Hon. C. Robinson-Regis*]
50. Response of the Trinidad and Tobago Police Service to the First Report of the Joint Select Committee on National Security on the Follow-up Inquiry into the Status of the Investigation of the Police Complaints Authority and the Trinidad and Tobago Police Service into the events surrounding the day of “Total Policing” on March 23, 2015. [*Hon. C. Robinson-Regis*]
51. Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the First Report of the Joint Select Committee on National Security on the Follow-up Inquiry into the Status of the Investigation of the Police Complaints Authority and the Trinidad and Tobago Police Service into the events surrounding the day of “Total Policing” on March 23, 2015. [*Hon. C. Robinson-Regis*]
52. Response of the Auditor General’s Department to the Third Report of the Public Administration and Appropriations Committee on an Examination of

- the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
53. Response of the Public Service Appeal Board to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 54. Response of the Integrity Commission to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 55. Response of the Elections and Boundaries Commission to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 56. Ministerial Response of the Ministry of Energy and Energy Industries to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 57. Ministerial Response of the Ministry of Planning and Development to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 58. Ministerial Response of the Ministry of Labour and Small Enterprise Development to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 59. Ministerial Response of the Central Administrative Services, Tobago to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 60. Ministerial Response of the Office of the Prime Minister to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]

61. Response of the Personnel Department to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
62. Response of the Service Commissions Department to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
63. Ministerial Response of the Ministry of Public Administration and Communications to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
64. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
65. Ministerial Response of the Ministry of Social Development and Family Services to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
66. Ministerial Response of the Ministry of Works and Transport to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
67. Ministerial Response of the Ministry of Community Development, Culture and the Arts to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
68. Response of the Trinidad and Tobago Police Service to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
69. Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the Third Report of the Public Administration and Appropriations

- Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
70. Response of the Equal Opportunity Tribunal to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 71. Ministerial Response of the Ministry of Rural Development and Local Government to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 72. Ministerial Response of the Ministry of Public Utilities to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 73. Ministerial Response of the Ministry of Sport and Youth Affairs to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 74. Ministerial Response of the Ministry of Foreign and Caricom Affairs to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 75. Ministerial Response of the Ministry of Trade and Industry to the Third Report of the Public Administration and Appropriations Committee on an Examination of the System of Inventory Control within the Public Service. [*Hon. C. Robinson-Regis*]
 76. Thirty-Ninth Annual Report of the Ombudsman for the period January to December 2016. [The Deputy Speaker (*Hon. Esmond Forde*)]
 77. Response of the Office of the President to the Second Report to the Public Administration and Appropriations Committee on an Examination of the Current Expenditure and Internal Controls within the Public Service. [*Hon. E. Forde*]

78. Delegation Report of the 43rd Meeting of the Board of Governors and the 9th Gathering of Women Parliamentarians of ParlAmericas held in Buenos Aires, Argentina from May 22 to 24, 2017. [*Hon. E. Forde*]
79. Annual Administrative Report of the Telecommunications Authority of Trinidad and Tobago for the period October 2015 to September 2016. [The Minister of Planning and Development (*Hon. C. Robinson-Regis*)]
80. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Seventh Report of the Public Accounts [Enterprises] Committee on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the Estate Management and Business Development Company Limited for the financial years 2008 to 2010. [*Hon. C. Robinson-Regis*]
81. Annual Administrative Report of the former Ministry of the People and Social Development for the fiscal year ended September 30, 2012. [*Hon. C. Robinson-Regis*]
82. Annual Administrative Report of the former Ministry of Community Development for fiscal 2011/2012. [The Minister of Community Development, Culture and the Arts (*Hon. Dr. Nyan Gadsby-Dolly*)]
83. Annual Administrative Report of the former Ministry of the Arts and Multiculturalism for the fiscal year ended September 30, 2015. [*Hon. Dr. N. Gadsby-Dolly*]
84. Ministerial Response of the Ministry of National Security to the Second Report of the Joint Select Committee on National Security on the Inquiry into the practice whereby Prisoners are Granted Access to Services outside of the Prison Facilities. [The Minister in the Ministry of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (*Hon. Stuart Young*)]
85. Response of the Trinidad and Tobago Police Service to the Third Report of the Joint Select Committee on National Security on an Inquiry into the Operations of the Trinidad and Tobago Forensic Science Centre and the Issue of DNA Sampling in Trinidad and Tobago. [*Hon. S. Young*]
86. Ministerial Response of the Ministry of Health to the Second Report of the Joint Select Committee on Finance and Legal Affairs on the Inquiry into Food Fraud in Trinidad and Tobago. [The Minister of Health (*Hon. Terrence Deyalsingh*)]

Papers Laid

Friday, September 08, 2017

87. Ministerial Response of the Ministry of Education to the Seventh Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the [Ministry of Education (*Hon. Anthony Garcia*)]
88. Annual Administrative Report of the Palo Seco Agricultural Enterprises Limited for the period October 01, 2011 to September 30, 2012. [The Minister of Planning and Development (*Hon. C. Robinson-Regis*)]
89. Annual Administrative Report of the Palo Seco Agricultural Enterprises Limited for the period October 01, 2014 to September 30, 2015. [*Hon. C. Robinson-Regis*]
90. The Ministerial Response of the Ministry of Rural Development and Local Government to the Third Report of the Joint Select Committee on Social Services and Public Administration on an Examination of Existing Arrangements and Possible Options for Regulating Geriatric Care Facilities/Old Age Homes. [*Hon. C. Robinson-Regis*]

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Madam Speaker, I crave your indulgence to indicate that I would like to commend the Ministers and other Members of this side of the House who ensured that all these reports were ready for laying in the Parliament at this time [*Desk thumping*] and I think it is something that is highly commendable and I would like to take the opportunity to commend my colleagues as Leader of Government Business.

PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE

REPORT

National Gas Company of Trinidad and Tobago Limited (Presentation)

Dr. T. Gopeesingh (*Caroni East*): Madam Speaker, I have the honour to present the following report:

Eighth Report of the Public Accounts [Enterprises] Committee, Second Session of the Eleventh Parliament on the Examination of the Audited Accounts, Balance Sheet and other Financial Statements of the National Gas Company of Trinidad and Tobago Limited for the financial years 2009 to 2015.

JOINT SELECT COMMITTEE REPORTS**(Presentation)****Geriatric Care Facilities/Old Age Homes**

Brig. Gen. Ancil Antoine (*D'Abadie/O'Meara*): Madam Speaker, I have the honour to present the following report:

Third Report of the Joint Select Committee on Social Services and Public Administration on an Examination of existing arrangements and possible options for regulating Geriatric Care Facilities/Old Age Homes in Trinidad and Tobago.

Regulation and Licensing of Medical Doctors

Miss Ramona Ramdial (*Couva North*): Thank you, Madam Speaker. Madam Speaker, I have the honour to present the following report:

Fourth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the Tobago House of Assembly) on an Inquiry into the Regulation and Licensing of Medical Doctors by the Medical Board of Trinidad and Tobago.

Insurance Bill, 2016

The Minister of Finance (Hon. Colm Imbert): Madam Speaker, in my capacity as the Member for Diego Martin North/East, I have the honour to present the following report:

The Report of the Joint Select Committee appointed to consider and report on the Insurance Bill, 2016.

Fifteenth National Youth Parliament**(Participants)**

Madam Speaker: Hon. Members, before we embark on Urgent Questions, I just wish to take this opportunity to draw to your attention the presence in the Chamber of the cohort of youth who will form the Fifteenth National Youth Parliament which will be held on October 28, 2017. [*Desk thumping*]

URGENT QUESTIONS

**Forensic Science Centre
(Treating with Autopsies)**

Dr. Lackram Bodoë (Fyzabad): Thank you, Madam Speaker. To the Minister of National Security. In light of the resignation of forensic pathologist Dr. Valery Alexandrov, can the Minister indicate what arrangements have been or will be put in place to treat with autopsies in a timely manner at the Trinidad and Tobago Forensic Science Centre?

The Minister in the Ministry of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, allow me the opportunity just to welcome the students and we hope that you all will get certain inspiration from this side and hopefully the other side of the floor as to how we behave during today's sitting.

Madam Speaker, to answer the question today, up to today, Friday, September 08, 2017, there are two pathologists performing post-mortems at the Forensic Science Centre. The resignation of Dr. Valery Alexandrov is actually effective on the 31st of December 2017, which is some months away still. He has asked not be scheduled to do any more post-mortem examinations.

In the interim, we have Dr. De Vignes continuing post-mortem examinations and arrangements have been put in place for Dr. Boris to be brought back on to the payroll from October 01, 2017. Before coming here I enquired, and Dr. Boris is making herself available in the interim period to assist and to ensure that there is continuity in these examinations being done. [*Desk thumping*]

Dr. Bodoë: Thank you very much, Madam Speaker and thank you for that response, Minister. Will the Minister give consideration to having the Forensic Science Centre open and functioning on weekends—that is, Saturdays and Sundays, to ease the burden that normally awaits citizens on a Monday morning, because the centre is closed on weekends?

Hon. S. Young: Thank you very much. Madam Speaker, that is something that can be brought to the attention. As you have just heard we are looking to upgrade the resources there, et cetera, and that is something I am sure can be given consideration. But until those who are performing these duties and the services that support them are analyzed and assessed, I cannot make any—

Dr. Bodoë: Thank you very much, Madam Speaker. Hon. Minister, Dr. Alexandrov via a public medium, indicated this morning that if a forensic pathologist performs more than 250 autopsies annually then his evidence in court is regarded as not reliable. Can you in the circumstances indicate, based on the fact that 500 autopsies were performed by Dr. Alexandrov of last year, whether his evidence will be reliable in the courts of Trinidad and Tobago?

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

Dr. T. Gopeesingh: Would the hon. Member indicate, subsequent to the resignation in December of the forensic pathologist, how would it affect the cases that he has done the autopsy on in the criminal courts? How would that affect the conduct of the testimony from him in the criminal courts?

Hon. S. Young: Thank you very much. Dr. Alexandrov would be expected to come back if his evidence is required in courts. As you would be aware there would be proper medical reports, proper reports of all of the autopsies, post-mortems that he has performed that would be admissible in court in any event, but I am certain that arrangements would have been made for that possibility, in fact, eventuality. Someone stopping being in their position does not negate them going from court. For example, former Ministers may have to go to court to give evidence in the future as well. [*Desk thumping*]

Prison Detainees (Use of Electronic Devices)

Mrs. Vidia Gayadeen-Gopeesingh (Oropouche West): Thank you, Madam Speaker. To the Minister of National Security—[*Crosstalk*]

Madam Speaker: Members! Member for Oropouche West.

Mrs. Gayadeen-Gopeesingh: Thank you, Madam Speaker. To the Minister of National Security. Could the Minister state what recent action has been taken to deal with the use of electronic devices by inmates/detainees by the prison authorities given recent social media postings showing that this is still prevalent?

The Minister in the Ministry of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young):

Thank you very much. Madam Speaker, you would recall on the last occasion that we were debating in Parliament I had informed the national population that grabbers and jammers were actually procured during the past administration's time in office. Those are being integrated. There were problems with the electricity system that are being dealt with; there have also been enhanced CCTV

camera systems and other electronic mechanisms put in place to deal specifically with that.

**Brian Lara Cricket Academy
(Poor Parking and Lighting)**

Mrs. Vidia Gayadeen-Gopeesingh (Oropouche West): Thank you, Madam Speaker. To the Minister of Sport and Youth Affairs. Could the Minister state what steps will be taken to treat with complaints of poor parking and lighting at the Brian Lara Cricket Academy?

The Minister of Sport and Youth Affairs (Hon. Darryl Smith): Thank you, Madam Speaker, and as the Minister of Sport and Youth Affairs I want to again welcome the young people that are here in the gallery with us. [*Desk thumping*] And I would also like to congratulate our Trinbago Knight Riders for making it to the final on Saturday at the spanking new Brian Lara academy.

I also want to thank the Members on the other side, I saw a number of them enjoying the game yesterday and I am glad that you all came to enjoy it with their constituents. In fact, Madam Speaker, a number of their constituents— [*Crosstalk*]

Madam Speaker: Minister of Sport and Youth Affairs.

Hon. D. Smith: Thank you, Madam Speaker. A number of their constituents were very happy and thanked me publicly; a number of their supporters. [*Desk thumping*] They were very pleased and happy that we finally completed the project that the people from the south and central could come and enjoy cricket. [*Desk thumping*]

Nevertheless, Madam Speaker, to answer the question from the Member for Oropouche West, which is a kind of weird question to answer. I did not hear any complaints of poor parking or lighting. But nevertheless, Madam Speaker, the original design of the Brian Lara Cricket Academy was 1,600 parking spots which far surpasses any of the stadia that we have in Trinidad and Tobago and what we did since the opening we doubled it to over 3,000 spots, which is above industry standard with regard to parking for a 15,000— [*Desk thumping*]

In terms of the second part of the question, Madam Speaker, I am not too clear what the Member for Oropouche West means in terms of lighting. Is it the lighting inside the stadium or is it in the carpark, but I will answer both. The inside of the stadium itself is industry standard and above in terms— [*Interruption*]

Madam Speaker: Hon. Minister, your speaking time is now expired.

[*Crosstalk*] Members, I recognize we have just come back from recess but please be reminded that we are in the Chamber and a certain decorum is expected.

2.00 p.m.

**Caricom Countries
(Hurricane Relief For)**

Dr. Bhoendradat Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. To the Minister of Finance: Could the Minister indicate what form of relief will be provided to Caricom countries affected by the recent hurricane?

The Minister of Finance (Hon. Colm Imbert): Madam Speaker, the Caricom country that has been affected by hurricane Irma—and the way the question is phrased it speaks to the recent hurricane. There is also Hurricane Jose which is very close to the northern Leeward Islands. But the Caricom country that has been most affected by Hurricane Irma is Antigua and Barbuda with most of the damage done on the island of Barbuda, which we were advised has been devastated.

Although Trinidad and Tobago has its own financial problems, there was a National Helicopter Services Limited company helicopter in the general area. In fact, this helicopter was in Dominica doing a private mission and the Government took a decision to make available, based on a request from the Government of Antigua and Barbuda, to make this helicopter available to the Government of Antigua and Barbuda, specifically to assist with the relief effort to the island of Barbuda which has now had to be evacuated because of Hurricane Jose, for a period of one week. So that is the direct assistance that the Government of Trinidad and Tobago has given so far to that particular Caricom country.

We have also received requests for donations of supplies: water, tarpaulins, foodstuffs and so on, and the Ministry of National Security together with the Ministry of Foreign and Caricom Affairs, the ODPM, are currently assessing the situation to see what can be done to assist in sending relief supplies to the country, Antigua and Barbuda. We have no reports of damage to St. Kitts and Nevis or to any of the other Caricom territories at this point in time.

Madam Speaker: Member for Caroni Central, supplemental?

Dr. B. Tewarie: Yes. Does the Minister of Finance or the Government see the prospect of any opportunity for Trinidad and Tobago becoming involved in any kind of reconstruction effort?

Hon. C. Imbert: The difficulty, Madam Speaker, is we do not have the money we used to have. If oil was \$150 a barrel, of course, we could assist to a much greater extent. It is coincidental that in a discussion with the Minister of Trade from Antigua this morning they indicated to me that they will have to completely rebuild all of the structures on the island of Barbuda and they have asked us to assist with building materials and so on, in the first instance. This matter is in its embryonic stage and, of course, you have the problem, as the Minister told me this morning, that Hurricane Jose is on a direct path to hit them again and it is expected to hit them tomorrow. So we will just have to wait and see—it is an evolving situation—before we could give any commitment to any significant reconstruction effort on the part of Trinidad and Tobago to this Caricom country.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much. To the Acting Prime Minister: If you can just clarify. You said that a helicopter from Trinidad and Tobago Defence Force or Air Guard was on a private mission in Dominica. What private mission they could be on?

Hon. C. Imbert: Let me be crystal clear as I was before. The National Helicopter Services Limited company, a state enterprise, which has both private and public customers, was on a private mission working, I believe, for a regional telecommunications company in that particular area and as a result, one of their rotary aircraft was in Dominica coincidentally and fortuitously at the time that we got the request for assistance from the Government of Antigua. Antigua is just an hour and a half away from Dominica, so it was good fortune for all concerned that this aircraft was there. It was going to return to Trinidad so it was able to re-route and go towards Antigua. I hope that answers your question.

National Reforestation Programme (Unpaid Wages to Employees)

Mr. Rudranath Indarsingh (Couva South): Thank you, Madam Speaker: To the Minister of Agriculture, Land and Fisheries: Could the Minister inform this House why employees of the National Reforestation Programme have not been paid their wages for more than five fortnights and indicate when all outstanding sums of moneys will be fully satisfied to the thousands of workers who have been affected?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam Speaker, I thank the Member for this question because this

particular programme impacts the constituents all the Members of this House. The delay in the payment of the wages was due to a shortfall in the funding to the programme. That matter has been resolved and we expect that all outstanding amounts and the wages due up to 30th September, 2017 to be paid out before the end of this financial year. Thank you.

Madam Speaker: Member for Couva North.

Miss Ramona Ramdial (*Couva North*): Thank you, Madam Speaker. To the Attorney General and Minister of Legal Affairs: Could the Minister inform this House when the Miscellaneous Provisions (Marriage) Act, 2016 will be proclaimed to provide the protection to the nation's children that is offered by the Act?

The Attorney General (Hon. Faris Al-Rawi): Thank you, Madam Speaker. Thank you, hon. Member, for the question. We are formalizing right now arrangements at the Registrar General's Division so that the forms which are meant to accompany the legislation are ready for delivery and availability to the public and I expect to be able to take a Note to Cabinet by Thursday of this week to invite for the proclamation date to be set by the Cabinet.

Miss Ramdial: Hon. AG, do you not think that this process took a little bit too long considering your haste to pass this Bill earlier in the year?

Hon. F. Al-Rawi: I do consider that 26 years of discussion on the abolition of child marriages deserve some haste, so I make no apology for protecting the children of Trinidad and Tobago for their rights. [*Desk thumping*] I do, however, believe the operationalization is a critical factor and so I make no apology whatsoever for taking care and caution with the forms, lest we run into a difficulty. For instance, in the last Government a proclaimed law for the Proceeds of Crime Act did not ensure that the forms were ready and then had the Attorney General, now in private practice, sued the State for the lack of availability of forms, resulting in the payment of damages by the people of this country in a hasty environment—[*Crosstalk*]

Madam Speaker: Attorney General. [*Crosstalk*] Members, I wish to advise you all of the provisions of Standing Order 53. I also wish to advise that the time limit for Urgent Questions is now spent.

ORAL ANSWERS TO QUESTIONS

Madam Speaker: Members, before we proceed, I have been advised in writing by the Member for Couva North who has asked that question No. 184 is now withdrawn.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. I am so sorry that Question No. 184 is withdrawn seeing that we were quite prepared to answer it. But, Madam Speaker, we are asking that of the over—I think it is over 20 questions that were asked—that Question Nos. 195 and 202 be deferred for two weeks; and I would also like to indicate that all the questions that are for written answer are ready and will be distributed at today's sitting. So we will answer all questions save those two, and now 184 that—

Mr. Imbert: Twenty questions?

Mrs. Camille Robinson-Regis: Twenty questions, we are all ready.

The following question stood on the Order Paper:

**TTPS Task Force
(Status of)**

- 195.** Could the Minister of National Security provide the status of the Drinking Under the Influence Task Force of the Trinidad and Tobago Police Service? [*Mr. Rudranath Indarsingh*]

Question, by leave, deferred.

The following question stood on the Order Paper:

**Report of the Board of Inquiry Report
(Children with Weapons)**

- 202.** Further to the response to a Senate Urgent Question on June 6, 2017, could the Minister of National Security state when will the Report of the Board of Inquiry into the circumstances that led to two (2) children being in possession of guns at a military camp be made public? [*Dr. Roodal Moonilal*]

Question, by leave, deferred.

**Chandanagore/Perseverance Road
(Manholes)**

184. Miss Ramona Ramdial (*Couva North*) asked the Minister of Works and Transport:

Could the Minister state the expected date that the manholes along the Chandanagore/Perseverance Road will be fixed and covered?

Question, by leave, withdrawn.

**Commissioning of Lights
(Union Village Grounds)**

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

Could the Minister state the expected date for the commissioning of the lights at the Union Village Grounds?

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Madam Speaker, thank you very much for this question. On behalf of the Minister of Public Utilities I would like to indicate—*[Interruption]* The current one. I would like to indicate that the lights have all been installed and this was completed on August 28, 2017 and the commissioning—because we do have to ensure that all the lights are working and that there are no glitches—will take place on or before the 15th of October, 2017. I am sure you are happy.

Mr. Imbert: Well done, well done.

Madam Speaker: Member for Couva North.

**Traffic Alleviation Plans
(Borough of Chaguanas)**

186. Miss Ramona Ramdial (*Couva North*) asked the hon. Minister of Works and Transport:

Could the Minister provide the Ministry's plans to alleviate the traffic problem in the Borough of Chaguanas?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): *[Desk thumping]* Thank you, Madam Speaker. Madam Speaker, the PURE Unit of the Ministry of Works and Transport is in collaboration with the traffic management branch to conduct the necessary traffic studies and to prepare

preliminary designs to alleviate traffic in the Chaguanas Borough. These studies will examine the short, medium and long-term measures for congestion relief throughout the borough, from the Monroe Interchange in the north to the Honda River in the south and from the Southern Main Road to Longdenville Old Road, and in the east from Perseverance Road to Pierre Road. Due to increased business, commercial and housing development in the borough, the study will also investigate the feasibility and impact of the proposed plan on the entire traffic network in an effort to increase connectivity and alleviate traffic throughout Chaguanas.

These traffic studies are scheduled to commence in early October 2017, which is after the start of the new school term, in order to capture data on regular traffic and I expect it to become completed by December 2017. The process will entail mapping the existing road network and studying the impact of increasing upgrades, or rehabilitating the major roadways and an interchange located or proposed within the borough. Upon completion of the traffic study, the final designs on the suggested short, medium and long-term measures will commence for phased implementation by the 2018/2019 fiscal year. Thank you. [*Desk thumping*]

Madam Speaker: Member for Tabaquite.

Dr. Rambachan: Thank you, Madam Speaker. Mr. Minister, while you do your long-term study, are you aware that at this point in time no-parking zones are completely ignored by people who are just parking anywhere and vendors have taken over, not just the main road but Ramsaran Street, continuously blocking traffic for hours and there is no response from the Chaguanas police?

Sen. The Hon. R. Sinanan: Madam Speaker, I would not want to answer any questions pertaining to national security. I prefer to leave that for the Minister of National Security. Thank you.

Madam Speaker: Member for Chaguanas West.

Mr. Singh: Thank you, Madam Speaker. Hon. Minister, you know that in the budget speeches of 2015/2016 and 2016/2017, there were measures pronounced in the budget to alleviate the problem of traffic in Chaguanas but yet nothing has been done over that two-year period.

Sen. The Hon. R. Sinanan: Madam Speaker, I do not know if you could engineer to alleviate traffic. I know what has been done is, measures have been taken to sort of assist with the traffic congestions and we do have projects going

on in Chaguanas now that should be completed within the next—I would say the next month or two which will bring some more relief to the burgesses of Chaguanas.

Madam Speaker: Member for Oropouche West.

**National Insurance System
(Consultations to Implement Change)**

189. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche East*) asked the hon. Minister of Finance:

Could the Minister indicate whether consultations have been initiated to implement structural changes to the National Insurance System in order to prevent the depletion of the resources by 2030?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. The National Insurance Board of Trinidad and Tobago held a number of consultations on the national insurance system in 2016. Particularly during the period January 2016 to April 2016, the board engaged in several stakeholder sessions on the Ninth Actuarial Review with representatives of government Departments and Ministries, the labour movement and the business community. The board also participated in media interviews and media consultations on national insurance system reform in September 2016. Additionally, two joint seminars were held in September 2016 and May 2017 with the Equal Opportunity Commission, entitled “Equal Opportunity and Non-Discrimination in National Budgeting”, and with the Chamber of Industry and Commerce, entitled “Pension Reform”, respectfully.

I am further advised that the National Insurance Board held reform sensitization sessions with representatives of the business community and the labour movement over the period July to August 2017.

Madam Speaker: Member for Oropouche West, supplemental.

Mrs. Gayadeen-Gopeesingh: Minister, the second part of the question dealt with, to prevent the depletion of the resources. Can you elaborate on that? Because I do not think your response answered that.

Hon. C. Imbert: Madam Speaker, the question asked whether consultations have been initiated to implement structural changes in order to prevent the depletion. I gave details of the consultations which were intended to deal with that issue.

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you, Madam Speaker. In these discussions, could the Minister of Finance indicate if the Government placed any policy position as it relates to cutting pensions in the different classes under the National Insurance System?

Hon. C. Imbert: No.

**Underutilization of Sport Facilities
(Current Initiatives For)**

190. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Sport and Youth Affairs:

Could the Minister state the current initiatives that are being undertaken to eliminate the underutilization of sport facilities throughout Trinidad and Tobago?

The Minister of Sport and Youth Affairs (Hon. Darryl Smith): Thank you, Madam Speaker. I do not know where the Member for Oropouche West is getting her information with regard to the utilization of the facilities but I will let her know, and let the public know, that this year has been the most international sporting events that Trinidad and Tobago has ever hosted in its history, ever. [*Desk thumping*] And I have been told by the Sportt Company of Trinidad and Tobago that it is also the highest level of international sporting activity that we have ever hosted. Almost all of our facilities have been used to the max; all our national stadia; our youth facilities.

Finally, there are programmes in it. Our sporting facilities, we are utilizing with the schools, working very closely with the communities. And again, Madam Speaker, in terms of us trying to enhance or improve on this, we will continue to work hard to ensure that our facilities are maximized and used to the fullest capacity for the young people of Trinidad and Tobago. I thank you. [*Desk thumping*]

Madam Speaker: Member for Tabaquite, supplemental.

Dr. Rambachan: Thank you, Madam Speaker. Mr. Minister, is it over-utilization that led to the decision to lock out people from the Ato Boldon Stadium?

Hon Members: Yeah, yeah. [*Desk thumping*]

Hon. D. Smith: Madam Speaker, this situation is unfortunate. I am really sad that it has happened but I think our chairman of the Sportt Company answered it very clearly in the media. With regard to the safety of the people of Couva South, as we have been seeing, the security at the facility has complained that—we are not sure if it is the people who are walking but a number of people have been going into the swimming pools after they walk and going in without permission, and we cannot have any young people—and the worst thing to have any persons like that drowning, it will be a different debate that we will be having here, Madam Speaker. So for the safety [*Desk thumping*] of the people of Couva South, let us continue how we are going.

Mr. Indarsingh: Madam Speaker, I take offence and umbrage to the remarks of the—[*Desk thumping*]—Member in relation to the constituents of Couva South—[*Crosstalk*]

Madam Speaker: Member, I am on my legs. Again I caution. I realize we have had a break, but please, let us remember where we are. Member for Couva South, please ask a question.

Mr. Indarsingh: Madam Speaker, based on the pronouncements of the Minister of Sport and Youth Affairs, could he provide this House with any documentary evidence that the facilities out at the Ato Boldon Stadium have been vandalized by the constituents of Couva South? [*Desk thumping*]

Madam Speaker: Member for Couva South, I will not allow that as a supplemental question. Member for Caroni Central.

Dr. B. Tewarie: Minister of Sport and Youth Affairs, some of the constituents affected are also from Caroni Central. Is it not possible to arrange a meeting—I do not mean that you have to meet with them—with the residents who are using that and come to some understanding and some structured arrangement so that the facilities can be used?

Hon. D. Smith: Madam Speaker, for the Member for Couva South, the only reason I mentioned Couva South is because it is in his constituency. I am very well aware that a number of other constituents from different constituencies utilize the facility. Again, the chairman of the Sportt Company—the Sportt Company is in charge of these facilities and you will know, Madam Speaker, that working with FIFA as we try to expand our sports tourism, TTFA is also doing major construction at this facility to have the home for football. So there are a number of backhoes, dump trucks and so on, clearing areas, as Members would have seen, and we do not want anybody getting injured and the debate being a

different discussion here today. But I take the point of the Member for Caroni Central. The chairman of the Sportt Company, we will see how we could come up with a solution quickly. But I know they are working on fencing certain areas to ensure that we could get back to having the people utilizing the facility.

Mr. Lee: Thank you, Madam Speaker, supplemental to the Minister of Sport and Youth Affairs. Could the Minister state, based on this question, if other stadia are utilized by constituencies to do the same exercising like the Ato Boldon Stadium?

Madam Speaker: I will not allow that as a supplemental question. Member for Couva South.

Mr. Indarsingh: Madam Speaker, I take the opportunity to withdraw question number 196.

Madam Speaker: Member for Couva South, the question is withdrawn?

Mr. Indarsingh: Yes.

Madam Speaker: But Question No. 196 is supposed to be withdrawn in writing. It is not in accordance with the procedure so I would ask you to ask the question.

South-West Regional Health Authority (Details of Appointment)

196. Mr. Rudranath Indarsingh (*Couva South*) asked the hon. Minister of Health:

Could the Minister provide the reason(s) that Mrs. Gail Miller Meade was appointed the Acting Chief Executive Officer of the South West Regional Health Authority during the absence of Mr. Anil Gosine?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam Speaker. The chairman of the South-West Regional Health Authority has advised that Mrs. Gail Miller-Meade is the most senior general manager in the South-West Regional Health Authority. She is the most senior qualified and competent executive manager and has acted on previous occasions in the position of Chief Executive Officer at the South-West Regional Health Authority. Thank you, Madam Speaker.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Could the Minister indicate whether or not a new position of

assistant—executive assistant to the Chief Executive Officer—has been established at the South-West Regional Health Authority to assist this very experienced CEO?

Hon. T. Deyalsingh: Madam Speaker, I will have to check on that and get back to the hon. Member.

Madam Speaker: Members, we revert to question 191. Member for Oropouche West.

**Cargo and Passenger Vessels
(Reoccurring Problems)**

191. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of Works and Transport:

In light of the reoccurring problems with the sea bridge cargo vessels and passenger vessels, could the Minister indicate whether these problems emanate from mechanical issues or improper management?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you again, Madam Speaker. Madam Speaker, I would like to draw the attention of this honourable House to the fact that at this time the Joint Select Committee on Land the Physical Infrastructure is conducting an enquiry into the Trinidad and Tobago Inter-Island Ferry Service with specific focus on the procurement and maintenance of the ferries. I expect that this committee's finding will provide some answers to the question posed by the hon. Member for Oropouche West. I thank you.

Dr. Moonilal: Could I ask the Minister pursuant to this, if he is aware of any irrevocable letter of credit granted to Bridgemans Services Group by the Ministry of Works and Transport or by the Government of Trinidad and Tobago, or First Citizens Bank?

Sen. The Hon. R. Sinanan: Thank you, Madam Speaker. Madam Speaker, like any contractual obligations, letters of credit would have been established. As to the first vessel, that would have been operationalized. As for the second vessel, I will have to get back to you as to the position with that because that vessel was cancelled.

Dr. Moonilal: May I ask that the hon. Minister confirm to us that the letter of credit came from the FCB and it is an irrevocable letter of credit that could only be void by Bridgemans Services Group?

Sen. The Hon. R. Sinanan: Madam Speaker, I have no information on that

but I will get that information back.

**Brian Lara Cricket Academy
(Cost For Catering Services)**

197. Mr. Rudranath Indarsingh (*Couva South*) asked the hon. Minister of Sport and Youth Affairs:

Could the Minister inform this House of the total cost for catering services at the Opening Ceremony of the Brian Lara Cricket Academy?

The Minister of Sport and Youth Affairs (Hon. Daryl Smith): Thank you, Madam Speaker. For the opening of the Brian Lara Cricket Academy I am told by the Sportt Company of Trinidad and Tobago that the total catering cost was just under \$100,000.

**Generic Brands of Pharmaceuticals
(Importing Details)**

200. Dr. Surujrattan Rambachan (*Tabaquite*) asked the hon. Minister of Health:

Could the Minister provide a list of the countries from which generic brands of pharmaceuticals are being imported?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you, Madam Speaker. The National Insurance Property Development Company Limited (NIPDEC) indicated that the list of countries from which generic brands of pharmaceuticals are being imported include: Argentina, Austria, Bangladesh, Brazil, Canada, China, Costa Rica, Cyprus, Germany, India, Slovenia, Switzerland, Thailand, United Kingdom, United States and Uruguay.

Dr. Rambachan: Would the Minister be willing to say who are the importers of these drugs from these different countries—these generic drugs?

Hon. T. Deyalsingh: Madam Speaker, that was not part of the substantive question. I could get it for you. That is not a problem, but it should have been asked. The list of importers will range the whole list of domestic importers.

Dr. T. Gopeesingh: I am asking a question to the Minister but he is not paying attention.

Madam Speaker: Member for Caroni East, please proceed.

Dr. T. Gopeesingh: Could the hon. Minister indicate whether the generic

brands of pharmaceuticals which you, a few months ago, indicated were not functional and not effective in treating chronic non-communicable diseases, whether they have been replaced or what is the status of these drugs in the context of patients' fears for the treatment and management of their NCDs?

Hon. T. Deyalsingh: Thank you, Madam Speaker. At no time did I state that drugs to treat NCDs were not good. I limited my statements to two particular drugs to treat two conditions only. It is typical UNC folly to scare the population. At no time, at no time did I say that. [*Interruption*] At no time—and you keep repeating this in the public domain. [*Interruption*]

Madam Speaker: Minister. [*Crosstalk*] Minister, please proceed.

Hon. T. Deyalsingh: So, at this year's drug procurement exercise, those two drugs, yes, have been taken off the formulary.

Dr. T. Gopeesingh: Could you indicate which are the two pharmaceutical drugs and what has replaced them—so education for the national population which you will feel obliged to do?

Hon. T. Deyalsingh: One was Metformin. It has been replaced. And the other one was, I think a drug for high blood pressure, Enalapril, that has been replaced. So it is generics. They have been replaced by other generics, another Metformin and another Enalapril.

Dr. Roodal Moonilal (Oropouche East): Thank you very much, Madam Speaker. Question No. 202 to the Minister of National Security.

Madam Speaker: I think Question 202 has been deferred. So I am calling on you with respect to the other question, 203.

Former Commissioners of Enquiry (Provision of Legal Counsel)

203. Dr. Roodal Moonilal (Oropouche East) asked the hon. Attorney General:

Could the Attorney General indicate whether the State will provide legal counsel to the former Commissioners of the Commission of Enquiry appointed to enquire into the entire process which led to the construction of the Las Alturas Housing Towers at Lady Young Gardens, Morvant, in their matter against Mr. Calder Hart and/or Mr. Noel Garcia?

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

The State is willing to provide legal representation at reasonable costs and has, in fact, requested the projected cost of same from the former commissioners.

2.30 p.m.

**Schedule for School Repair and Maintenance
(Constituency of Naparima)**

204. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Education:

Could the Minister provide a list of the schools in the constituency of Naparima that are scheduled for repair and maintenance work during the vacation period from July to August 2017?

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, schools located in the constituency of Naparima were not included on the list of schools earmarked for repair and maintenance works during the July/August 2017 vacation period. A review of the major repair and maintenance works to be undertaken at the Early Childhood Care and Education Centres, primary and secondary levels did not identify critical issues in the constituency of Naparima which would have hampered the reopening of schools on September 04, 2017. Thank you.

**Trinidad and Tobago Police Service
(Number of Available Vehicles)**

206. Dr. Surujrattan Rambachan (*Tabaquite*) asked the hon. Minister of National Security:

Could the Minister state the total number of vehicles available to the Trinidad and Tobago Police Service as at June 30, 2017?

The Acting Minister of National Security (Hon. Stuart Young): Thank you very much, Madam Speaker. The information provided by the Trinidad and Tobago Police Service indicates that as June 30, 2017 its fleet comprised 1,591 vehicles.

Dr. Rambachan: Can the Minister indicate of these 1,591 vehicles, how many of these vehicles are serviceable and operational?

Hon. S. Young: Madam Speaker that is a completely different question. I do not have that information here.

Dr. B. Tewarie: Can the Minister confirm whether these vehicles are continued to be equipped with GIS equipment and communications capability.

Hon. S. Young: Yes.

Dr. B. Tewarie: GPS, sorry.

Dr. Khan: Could the Minister indicate whether these vehicles have any dashboard cameras on them?

Hon. S. Young: Some.

Dr. T. Gopeesingh: I would like to know the figure of the vehicles that are utilized by national security for undercover purposes, the 1,591?

Madam Speaker: Member, I will not allow that question.

DEFINITE URGENT MATTERS

**Children's Life Fund Authority
(Assistance of)**

Dr. Fuad Khan (Barataria/San Juan): Thank you, Madam Speaker. [*Desk thumping*] Madam Speaker, in accordance with the provision of Standing Order 17, I hereby seek leave to move the adjournment of this House for the purpose of raising the following definite matter of urgent public importance at today's sitting of the House and, that is, the refusal of the Children's Life Fund Authority to assist children who are eligible for the said assistance under section 19 of the Children's Life Fund Act, Chap. 29:01.

The matter is definite because the lives of children are at stake. There have been instances where the Children's Life Fund Authority has rejected children who are in the need of assistance and have satisfied all the requirements for eligibility, namely:

- (a) a person is eligible for a grant under this Act where he or she is a citizen of Trinidad and Tobago and is ordinary resident in Trinidad and Tobago;
- (b) is unmarried and under the age of 18 years at the time of the application;
- (c) has been referred by a medical specialist in the particular field of treatment required;
- (d) requires treatment that is unavailable at a local medical institution;
- (e) has been diagnosed with life threatening illness; and
- (f) has medical expenses that exceed 25 per cent of the income of this family.

The matter is urgent because if the policy of the current board of the Children's Life Fund Authority is not reviewed and rectified, many more children will not be able to access medical treatment due to the high cost contrary to the

Definite Urgent Matters

Friday, September 08, 2017

intent and spirit of the Children's Life Fund Act.

The matter is of public importance because the current decisions of the Children's Life Fund Authority will put many other parents in the same predicament as those who have already been rejected.

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

**National Security Apparatus
(Collapse of)**

Mr. Rodney Charles (*Naparima*): Madam Speaker, in accordance with Standing Order 17(1), I wish to seek leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely the complete collapse of our national security apparatus and the open revolt of some communities against our protective services. The matter is definite as it pertains specifically to videos circulating on social media, showing citizens in open combat with the Trinidad and Tobago Police Service and the Trinidad and Tobago Defence Force.

The matter is urgent because we have become a society in which no citizen is safe, not even those meant to protect and serve through the execution of their duties. The matter is of public importance because if our national security personnel are not trained or equipped to perform effectively, then no one in this country is safe. [*Desk thumping*]

Madam Speaker: Hon. Members, I am not satisfied that this matter qualifies under Standing Order 17. I advise that the Member pursues this matter under Standing Order 16.

BAIL (ACCESS TO BAIL) (AMDT.) BILL, 2017

The Attorney General (Hon. Faris Al-Rawi): Thank you, Madam Speaker. Madam Speaker, I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Bail (Access to Bail) (Amdt.) Bill, 2017 listed in Appendix II be now considered.

Question proposed.

Question put and agreed to.

Clause

4.

Senate amendments reads as follows:

- A. In proposed section (4A) delete the chapeau and substitute the following:
 - “(4A) Where security is given for the grant of bail, it may be in the form of—”
- B. In paragraph (c): Delete the word “or”.
- C. In paragraph (d), delete the full stop and insert after the word “property” the words “; or”.
- D. Insert after paragraph (d) the following paragraph:
 - “(e) such other forms of security or combinations thereof as the Court sees fit.”
- E. In subclause (4B), insert after the word “Court” the words “granting bail”.

Mr. Al-Rawi: Madam Speaker, I beg to move that this House agree with the Senate in the amendment of clause 4 of the Bail (Access to Bail) (Amdt.) Bill, 2017. The tweaking, if I can use that expression, of the new subclause 4A which is an amendment to section 2 of the parent Act, came about as a result of discussions in the Senate. In those discussions, the hon. Members of the Senate—and I do mean all, Opposition and also Independent Bench—felt that it was necessary to provide a little more latitude in respect of the forms of security insofar as we are now seeking to broaden the concept of security as opposed to surety under the legislation.

In those circumstances, the first amendment to subclause 4(a)(1) is a recasting of the chapeau simply to provide for a broader arrangement of words and, secondly, to add in substantially that any other form of security or combination thereof as the court sees fit. This allows the court latitude to grow the common law, it certainly allows for evolving forms of security that the court may consider from time to time appropriate to find its way into the judicial determination under the Bail Act as it stands No. 18 of 1994. This really does simply provide for the judicial officer to have the latitude of discretion and that relates to the first part.

The second part where we seek to insert granting bail, that is where the court granting bail is now specified in the text of subclause (4B), is really to take care of the operationality of the court, and that specifically arises insofar as

we have a defined term for the court. Court includes as is defined in the Act—and that is the Bail Act—a judge, a magistrate, a justice of the peace or a coroner, and in the cases of a specified court it includes a judge or magistrate, or as the case may be the justice having power to act in connection with the proceeding before the court.

Accordingly we have sought to specify the court granting bail to take care of the interpretation that will come out of the expression court. This provides for some working assistance to those who will exercise the law as it is to be practised, and in those circumstances I humbly beg to move that these amendments be adopted by this honourable House.

Question proposed.

Dr. Gopeesingh: Thank you, Madam Speaker. Madam Speaker, in relationship to what the Attorney General just indicated on the amendment to subclause (4B), when he indicated on the paragraph, but is unable to do so before the office of the court granting bail which is the change, ceases to accept payment on the day. It seems that we need some more clarification on the issue of, he or the person acting on behalf gives such security to a prison officer designated by the Commissioner of Prison for that purpose. That is a continuation of the part where the amendment is taking place.

From experience, my own personal experience in 2002, when someone goes before the court and you apply for surety and someone is there to give you surety, first of all there is a problem where the magistrate who is an officer of the court comes in late, whether deliberate or not, questioned the abuse of power sometimes and they may come like 3.30 p.m. in the afternoon, conduct the matter, the matter may go beyond the four o'clock deadline where the Clerk of the Peace is supposed to be there to receive the certified cheque or whatever surety and cannot be found. Therefore, what happens in that situation, the black marina pulls up—
[*Interruption*]

Hon. Members: Maria.

Dr. Gopeesingh:—Maria pulls up after four o'clock ready to take the person who is offering a surety but unable to conclude their business with the Clerk of the Peace at the particular time because of the absence of that person, and therefore, finds himself or herself having to be taken to prison which is really an

abuse of process because of the inability of the system to allow that person to present their surety.

I saw where the Attorney General and the Government decided that they will have prison officers in this part of the Bill up to 6.00 p.m., Monday to Saturday, but we want to find out where are these prison officers going to be working from, where can an accused who is ready with a surety can find solace and give to that prisoner, or at four o'clock whether that person—

Madam Speaker: Member for Caroni East, I have allowed you some latitude, but remember we are not debating the Bill afresh. What we have to consider is the particular amendment. Now, you referred to (4B) which is “or”, which is to delete the word “or”. So that if your contribution relates to some issue with the deletion of the word “or” I will allow it, if not I shall not.

Dr. Gopeesingh: Madam Speaker, that is not area. I am referring to (4B) which the hon. Attorney General put in granting bail. That is an amendment in subclause (4B), unable to do so before the office of the court granting bail.

Madam Speaker: Member, and maybe I should give some clarification. The amendment to which the Attorney General referred is listed at the Appendix B as (4B). That is paragraph C, delete the word “or”. So that I will only allow a contribution that is related to the amendment or any amendment in clause 4.

Dr. Gopeesingh: Madam Speaker the entire clause 4 you are speaking about?

Madam Speaker: You are talking on (e). You are speaking with respect to 4D(e). That is what you are talking about because you said B.

Dr. Gopeesingh: No I am speaking of the original Bill clause 4B.

Madam Speaker: Member for Caroni East, if I can just maybe direct you to—

Dr. Gopeesingh: 4(e). I am speaking on the amendments, it is that 4(e). That is what I am speaking about. So there are two issues there. One is the ability of the court process to ensure that justice is given to an accused when he or she presents the surety by a particular time and rather than to be penalized, to be taken to prison when the Clerk of the Peace cannot be found. That is number one. The second issue is, you need to give the country an idea of who are the prison officers designated by the Commissioner of Police, where are these prison officers to be found, and up to 6.00 p.m. where are they located? Are they going to be located in the same courts as the Clerk of the Peace? Where are they to be found? So we need some clarification on those two issues, Attorney General.

Dr. Tewarie: These are simple amendments. There are two amendments here, Madam Speaker. The amendments come from the Senate and they are located in the Bill as further amended in the Senate here, and basically it expands the means by which bail is to be secured in clause 4 through the introduction of clause (e) by adding “such other forms of security or combinations thereof as the Court sees fit”. And then in the second amendment 5, it simply deals—

Madam Speaker: Member for Caroni Central we have not as yet reached 5. The only amendment that was put to us is 4. So we are only dealing with 4 until that question is proposed.

Dr. Tewarie: So you are dealing with 4. Well it is very difficult to go beyond that if the debate is circumscribed simply to the clause (e) which we are discussing. But I would say there is a matter that needs to be raised and which the Member who leads the business of the Opposition on this side of the House raised with the Leader of Government Business, and he wrote to the Leader of Government Business to indicate first of all that the Attorney General had made certain commitments in the Senate.

Madam Speaker: Member, might I ask, is what you are going to proceed on list within the appendix of the amendments?

Dr. Tewarie: Sorry?

Madam Speaker: You are about to proceed on something and I just wish to get some confirmation that what you are dealing with is listed on Appendix II, clause 4, because that is all we have before us and that is all that we could consider.

Dr. Tewarie: It may, Madam Speaker, be raised under perhaps 5 rather than 4.

Madam Speaker: When we reach to 5 then you will indicate that you wish to speak.

Dr. Tewarie: Well, Madam Speaker, we simply note the amendment therefore 4(e) as has been brought forward to this House from the Senate and we wait to continue the debate on clause 5.

Mr. Al-Rawi: Thank you, Madam Speaker. I thank hon. Members for their reflections on clause 4. I regret that with constrain by Standing Order 74(3) to do them individually, clause 4 then clause 5. So we are certainly open to addressing each issue that the hon. Members of the Opposition may have. If I could reflect upon the submission of my learned colleague for Chaguanas, for Caroni East forgive me, through you, Madam Speaker, the fact is that prison officers are

already designated by the Commissioner of Prisons as receivers of moneys. So this is not new to the laws of Trinidad and Tobago.

We are by these amendments jointly agreeing that we broaden the scope of access to bail to deal with the very circumstance of mischief that you so plainly pointed out, and that is where the court for one reason or the other does not conclude its business and actually results in an accused person being taken overnight to remand facilities or otherwise until the process of bail can be continued on another working day. God forbid if that is a Friday, of course, versus a Monday, as we all know some of the pains that come out of the stories in respect of access to bail.

So firstly this amendment squarely deals with the mischief that the hon. Member has put forward, Madam Speaker. It seeks to attenuate the difficulties that persons face, it allows for the access to the existing provisions of the law which is officers designated at each and every institution of prisons so designated by law under the Prisons Act, it allows for receiving officers who are already sitting officers in these divisions at prisons be they maximum security or remand facilities or otherwise, to simply receive the moneys that would have been ordered by the court. Remember, an amendment to treat with security and not surety.

The hon. Member referred to the concept of surety. There is a bit of confusion in the 1994 legislation as it relates to surety and security. Surety is where one has a third party or one has one's own reputation and self to guarantee that the defendant before the court, the accused, will attend before court and face the court. So said under section 5 of the Act, section 6 of the Act, and in fact under section 12(1) of the Act. In those circumstances surety is to be distinguished from security. Security finds representation and the only place where it finds representation is under section 12 of the Act. Under section 12 of the Act, security can be given in various forms, and as the debate would have told us, there has been a preponderance to the usage of security in the form of land. These new mechanisms allow for a broader scope and clarity for the magistracy as a suite of remedies available for the provision of security.

The practice of the 1994 Act in reality has worked out that security where it is given—and the Act speaks to it in section 12—really is for what we call the flight risk persons. So sections 12(3) to (6) speaks to—and that is of the parent Act—security being given only where there is a flight risk. What has come to be the standard practice in our courts is that security is asked in any event, whether it is by way of surety or whether it is in respect of the strict confines of section 12 of the Act. In any event the provisions are not mandatory in that sense, and when

one looks to the application of the law of bail, in particular section 5, section 6, section 7 and section 12 of the Bail Act, we can find comfort that this certainly does not exclude anyone from operation and this in fact takes us in the right direction.

Dr. Gopeesingh: Would you give way?

Mr. Al-Rawi: Yes, please.

Dr. Gopeesingh: Thank you, Attorney General, and through you, Madam Speaker, could you help in the clarification of the issue. Let us say the prison officers are there up to 6.00 p.m., and the Clerk of the Peace in the Magistrates' Court is there up to 4.00 p.m., if the Clerk of the Peace is not there by 4.00 p.m. the person then is taken down to prison, and therefore, they are already in prison and the prison officer is the one now taking the, well not surety but whatever funding or finance has to be given. How can you prevent that accused from having to go down to the prison for a prison officer to take that money or whatever up to 6.00 p.m.? And so, how would you manage the lacuna between 4.00 p.m. to 6.00 p.m. with preventing the accused from having to go to prison which really he is prepared to deal with by 4.00 p.m.? I accept all the other things that you have indicated.

Dr. Tewarie: Would you give way? The follow-up to that which you can answer both, which is to say, if somebody is taken to prison after 6.00 p.m., does that mean that the person has to wait till the next morning for the grant of bail based on this information?

Mr. Al-Rawi: I thank hon. Members for the enquiries. Thank you for the latitude, Madam Speaker. In answer to both my learned colleagues, regrettably there is a cut-off time of 6.00 p.m. And if an accused or a prisoner is taken to the facility after 6.00 p.m. unfortunately they will have wait until 8.00 a.m. the next morning to be processed at the prison. What is advantageous in the situation is that the accused, or the defendant, or the person remanded, does not have to wait the cycle of remand, seven days, or 21 days, or 28 days. That there is an automatic access to the prison officers at 8.00 a.m. the next morning.

So I do accept there is an inconvenience and perhaps a serious one for the positions for persons who arrive after six o'clock. Regrettably, the receiving officers' cut-off time for now until amendments are made to the prison service itself in terms of how they regulate themselves for processes such as this, the cut-off time is at six o'clock. But as we engage in the reform process in the prisons

and in particular the subsidiary rules that govern them, we can look at this issue in a more fulsome way.

Dr. Tewarie: Would the Minister concede that this leaves someone who is taken to prison open to abuse or provocation?

Madam Speaker: Members, I have allowed some latitude, but remember we are not debating the entire Bill and the policy behind the Bill and so. That has gone. I have allowed some questions for giving some clarification, but I think we are embarking on a full debate that is not just limited to the amendments that have come for us from the Senate, and therefore, I will not allow this.

Attorney General, no time is prescribed for this. It is not 45 minutes. So I will allow you—there are no amendments being proposed, I will allow you three more minutes to wind up and beg to move please.

Mr. Al-Rawi: I thank you for the time frame, Madam Speaker. I listened to my learned friends ask if it is humanly possible. Madam Speaker, I thank my learned colleagues for their enquiries. I would not say that there is any abuse on opportunity. There are multiple avenues to cover the concerns, but specifically the court granting bail as proposed in the amendment to subclause (4B) which is pursuant to the proposal at (e) on the clause 4, certainly finds itself into a greater room for clarity for the position of which court, one, is dealing with and certainly the amendment proposed in 4A—that is capital A—is one which gives for an expansion as combined with D on the circulated list of amendments. I do appreciate my learned colleagues' line of enquiry, I think it has been addressed in the debate itself and in any event we can continue discussions. In those circumstances, Madam Speaker, I beg to move.

Question put and agreed to.

3.00 p.m.

Clause 5.

Senate amendment read as follows:

- A. By renumbering paragraphs (a), (b) and (c) as paragraphs (b), (c) and (d) respectively;
- B. By inserting before paragraph (b) as renumbered, the following paragraph:

“(a) in subsection (1), by deleting the words
“section 12(4)” and substituting the words

“section 12”.

- C. In paragraph (b) as renumbered, by deleting the word “seven” and substituting the words “twenty-eight”.

Mr. Al-Rawi: Madam Speaker, I beg to move that the House agree with the Senate in the amendments to clause 5 of the Bail (Access to Bail) (Amdt.) Bill, 2017. Madam Speaker, in the list as circulated, we are contemplating three amendments to clause 5. In the round, we are proposing that the substantive section of the law, that is the Bail Act itself, to be found at section 17 of the Act, we are proposing two things. One, we are proposing that the reference that is contained in the parent law at section 17 to section 12(4) instead be read section 12. And, secondly, we are proposing an enlargement of time for the consideration of the operation of this law moving from the prescribed seven days to 28 days.

If I could deal with the first part which is the reference to section 12 itself and I propose to explain that in dealing with the forfeiture of security—notice it is not surety—in dealing with the forfeiture of security as provided for in section 12 of the Act, the first thing that one needs to notice is that section 12(1) of the parent Act is the only mandatory provision of the law. Section 12 of the parent Act, in fact, in subsections (3) to (6), these are the circumstances where the parent law treats with what is referred to as flight risk. In subsections (3), (4), (5) and (6) are now including the subsections which this Bill proposes to be added in, 4(a), et cetera. In dealing with these particular provisions, we are treating with the application of a judicial officer providing for other forms of security to be provided and that is to be met within the context of what is 12 in and of itself dealing with a flight risk.

Now, the provision of the flight risk clause, where security finds itself mentioned for the first time in the parent law, in the provision of those sections, one is obliged to traverse the general conditions for bail in the parent Act. In particular, one must pass through section 5 of the Act, section 6 of the Act, section 7 of the Act and what we are proposing here is that any form of security which a judicial officer may give as a requirement for condition of bail—be it cash, be it property, be it a bond from our licensed financial institution, whatever it may be or any combination as we now propose—that that form of security be one which can be subject to forfeit with the consent of the defendant in the circumstances set out in the Bill. There is no mandatory statement of law that the provision of security can only be in very narrow circumstances.

In fact, the practice in the High Court, in the magistracy, even at the Court of

Appeal, with respect to the application or requirement to give security, is not one which is uncommon. It is one which finds itself in any one of the circumstances broadly set out in section 7 in particular which says that it is wide open to the application of the law as practised and in particular when one traverses section 6(2) of the Bail Act, which is the general conditions which a court must have regard to in considering the granting of bail.

In these circumstances, I propose to address squarely some correspondence which emanated from the hon. Member for Pointe-a-Pierre, the Leader of Opposition Business, which does not find itself in a strict amendment before the House, because that letter referred to a discussion in the Senate which concerned section 7 of the Act. In any event, the discussion which I have just reflected upon in section 12 of the Act, as we are proposing to be applied, takes care of the concern mentioned. The CPC himself and several members of the Criminal Bar, I did have discussions with both. The CPC confirmed his position in writing as well and otherwise through the interactions that we have had, that there is a misunderstanding amongst—well there is a misunderstanding in the context communicated by the hon. Member for Pointe-a-Pierre by his letter to the Leader of Government Business, which was issued last night.

And I am certainly open to exploring what other concerns the hon. Members may have in relation to their understanding of this, but, strictly speaking, it is not a matter that is before the House because we are not proposing any amendment to section 7 of the parent Act. But out of courtesy to my learned colleagues, I felt compelled to address the issue squarely as I have just done.

Madam Speaker, when we look at the amendments to clause 5 of the Bill, as set out in the list of amendments circulated and now for adoption by this House, in summary, I will conclude by saying, number one, we are proposing that all forms of security be subject to forfeit. Security is a concept which arises in the strict confines of section 12 of the parent Act. Secondly, we took on board recommendations of hon. Senators opposite and at the Independent Bench that there should be an amplification of the time frame away from seven days and, in fact, to 28 days and, in those circumstances, I beg to move.

Question proposed.

Mrs. Persad-Bissessar SC: Thank you very much. Madam Speaker, I speak to the proposed amendments which have been sent to us from the Senate to clause 5 of the Bail (Access to Bail) Bill, and I understand the constraints of the Standing Orders to stay within the wording of this, but it is important for us to understand,

based on what the AG has just told us, that what we are trying to do is to deal with issues relating to flight risk with respect to those who may abscond whilst on bail. And the reasoning that had been put forward previously and our debate in this House, the concerns we had raised with respect to this Bill, that we are in a period where crime is the number one issue in the country, and here we are, we are seeking to open up the provisions of bail and to make it easier for access to bail. And that is what all these amendments are for. I will not go to the parent Bill that these come from. So, on the one hand, we are looking to amendments to ease up that process and, on the other hand, we are being asked to consider elsewhere locking down bail with respect to crimes given this very horrid situation.

Now, our debate earlier, I am saying that I am not in a position to support the amendments being proposed here, basically, for three reasons: One being that we are not satisfied with the explanation being given by the hon. Attorney General with respect to the section 12 amendment being amended in clause 5, and the fact that we cannot trigger the 12 unless 7 is triggered. The AG has shared a different view but we do not share his view. The section 7 has to be triggered; 7(1) and (b) must be satisfied and therefore, in our view, the amendments will not further the aims and objectives of the Bill and therefore of the Act, and we will not support them.

And, thirdly, Madam Speaker, whilst the hon. Attorney General said that the matter is not properly before the House but, in my respectful view, the discussion in the Senate was clearly on the *Hansard*, on page 150, where our concerns had been expressed up there about the clause 12 and the triggering and the symbiotic relationship with section 12 and section 7. So this will not further the aims and the objectives of the Act, these amendments and therefore, we are not in a position to support the same in amendments. [*Desk thumping*]

Mr. Al-Rawi: Thank you, Madam Speaker. It is unfortunate that my learned colleagues take the view which they are now expressing and I wish to address this properly. The Senate amendment before us now concerns an amendment to section 17 of the Act, it does concern an amendment to section 12 of the Act. We have, in fact, already agreed in the amendment which we passed in clause 4 of this Bill which hon. Members supported a short while ago. It is in clause 4 that we agreed to section 12 of the Act being amended.

So, unfortunately, I do not catch how the Opposition can agree to clause 4 as they just did which is the clause which amends section 12 of the Act and now say in relation to clause 5, which deals only with section 17, that we are not in a position to support as the Opposition says now. That is a rather curious position.

I think it is perhaps borne out of a misunderstanding of the application of the law and therefore, I am compelled to address the substantive understanding as I understand it to be as follows.

The first thing is that the parent Act, Chapter 4:60 at section 5 of the parent Act, it is section 5(1) that says:

“...a Court may grant bail to any person charged with any offence other than an offence listed in Part I of the First Schedule.”

Section 6 of the parent Act, subsection (2), is the section:

“Where the offence or one of the offences of which the defendant is accused in the proceedings is punishable with imprisonment, it shall be within the discretion of the Court to deny bail to the defendant...”

—for a number of circumstances set out in the Act. Subsection (3) deals with the exercise of discretion under 2(a) where the court is bound to consider certain things.

When we get section 7 of the Act, section 7 of the Act is very expressly clear in 7(1). Section 7(1) of the Act says:

“Subject to subsection (3), where the defendant is granted bail, the conditions mentioned in...(3) to (6) of section 12 shall not be imposed unless it appears to the Court that it is necessary to do so...”

—for certain circumstances.

“(a) for the purpose of preventing the occurrence of any of the events—in section 6;

—which is the broad range definition of matters which the court must consider and (b)—[*Interruption*]

Dr. Moonilal: Madam Speaker, Standing Order 48(1).

Mr. Al-Rawi: And:

“(b) to enable enquiries of a report...”

Madam Speaker: Member for Oropouche East, I overrule you. It is in terms of a matter that has come up. He is now winding up. Attorney General.

Mr. Al-Rawi: Thank you, Madam Speaker. So 7(1) is expressly clear that the whole of section 6 applies, which is the very broad range and it is also to

engage enquiries or a report, et cetera. Section (7) which the hon. Members opposite now raise by way of reference in their letter written by the Member for Pointe-a-Pierre to the Leader of Government Business last night, reflected upon a conversation which we had in the Senate which was obiter dicta, it did not flow from the material before the Senate.

But specifically, I am able to say that when we look to the concerns, as I understand them to be, the only condition of bail that is mandatory in section 12 of the Act is, in fact, 12(1):

“A person granted bail in criminal proceedings shall surrender to custody.”

There is nothing else in section (12) which is mandatory, only section 12(1). Subsections (3), (4), (5) which deal with the grant of the flight risk security, which is where security is given, are obviously attended to, because you would not get to security ever in a court of law unless the magistrate asks you to give security, and you do not get the question being put to you unless the magistrate is convinced that that question should be put to you, and therefore, the concept of security arises in the flight risk context only. Section 17 which says if you put up security, that security is liable to be forfeited in certain circumstances follows from the judicial process where the magistrate or other judicial officer, High Court, Court of Appeal, says—[*Interruption*]

Mr. Lee: Standing Order 48(1), Madam Speaker.

Madam Speaker: Attorney General, what I would ask is this, if you could sort of just contain your contribution—[*Crosstalk*] And I would like when I am speaking and on my legs, that Members respect what the Standing Orders say, please. Yes, if you contain your contribution to precisely what is before us, I understand that some other discussion was raised, I think you have explained that and therefore, if now you can just zero in on what is before us.

Mr. Al-Rawi: Yes, Madam Speaker. I thank you for your guidance. It is unfortunate that Members ask a question and I do not want the answer because it is a matter of law, and if there is a concern, then it needs to be answered. In any event, Madam Speaker, the forfeiture provision in section 17, by which clause 5 of this circulated list of amendments proposes an amendment, squarely deals with the provision of security within the ambit of section 12 of Act. Section 7 of the Act does not apply, it is not before the Senate. The Opposition, respectfully, is approbating and reprobating. They are blowing hot and cold.

Madam Speaker: Hon. AG, if we could move on, I think we have—

Mrs. Robinson-Regis: Madam Speaker, in accordance with Standing Order 53, I beg to move that the debate on Motion 1 be adjourned and that we move on to debate on Motion 2.

Mr. Lee: No. Madam Speaker, I do not agree. We have had a very long vacation period and we came out today to debate Motion No. 1 and we are trying to do the people's business and I would like to take a vote on that, please. [*Desk thumping*]

Mrs. Robinson-Regis: Madam Speaker, we are very willing to allow for the vote to take place if the Opposition is so minded. But, as I said, we are asking for the adjournment of this debate on this Motion.

Mrs. Persad-Bissessar SC: But why?

Mrs. Robinson-Regis: I will explain why.

Mrs. Persad-Bissessar SC: Sure, that will be nice.

Mrs. Robinson-Regis: It is clear that the concerns that have been raised by the Opposition need to be explained further. In addition to that, Madam Speaker, if I would be totally straightforward with the House, in addition to that, unexpectedly, one of our Members is not here. He is ill.

Hon. Members: Oh ohhhhh!

Mrs. Robinson-Regis: Yes, it is quite sad. I am clear that you, Member for Oropouche East, care enough. [*Crosstalk*]

Madam Speaker: Member, please, please.

Mrs. Robinson-Regis: Sorry, Ma'am. And as a consequence of that, in circumstances where this was an agreed position in the Senate by the Opposition no less, we are quite surprised that those on the opposite side are now taking a different position. I am quite willing for—if they want the vote to be put, we are willing to have the vote. [*Crosstalk*]

Madam Speaker: I believe the response to the application was already given by the Member for Pointe-a-Pierre. Okay. [*Crosstalk*] So that the question— [*Crosstalk*—I shall now put the question with respect to the debate on Motion No. 1 be now adjourned to a date to be fixed.

Question put.

Mr. Lee: Division.

The House divided: Ayes 17

Noes 17

AYES

Robinson Regis, Hon. C.

Imbert, Hon. C.

Al-Rawi, Hon. F.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Cudjoe, Hon. S.

Garcia, Hon. A.

Forde, E.

Webster-Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Smith, Hon. D.

Francis, Dr. Hon. L.

Jennings-Smith, G.

Antoine, Brig. Gen. A.

Leonce, A.

NOES

Lee, D.

Persad-Bissessar SC, Mrs. K.

Charles, R.

Rambachan, Dr. S.

Karim, F.

Tewarie, Dr. B.

Moonilal, Dr. R.

Newallo-Hosein, Mrs. C.

Gopeesingh, Dr. T.

Gayadeen-Gopeesingh, Mrs. V.

Indarsingh, R.

Ramadhar, P.

Khan, Dr. F.

Singh, G.

Bodoe, Dr. L.

Paray, R.

Ramdial, Miss R.

Madam Speaker: Members, the result of the division is 17 for, 17 against, so therefore, as Chair, I now exercise the casting vote and I vote in favour.

Question agreed to.

Dr. Moonilal: Madam Speaker, if we vote yes, that is not the status quo?

Madam Speaker: Please, proceed. [*Crosstalk*]

Hon. Member: You running the House?

**CRIMINAL PROCEDURE (PLEA DISCUSSION AND PLEA AGREEMENT) BILL,
2017**

Senate Amendments

The Attorney General (Hon. Faris Al-Rawi): Madam Speaker, I beg to move the following Motion standing in my name.

Madam Speaker: Member for Naparima, your statement after I ruled can be considered contemptuous. I am sure you did not mean that and I am prepared to ignore it but not tolerate it.

Mr. Al-Rawi: Madam Speaker, I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Criminal Procedure (Plea Discussion and Plea Agreement) Bill, 2017 listed in Appendix III be now considered.

Question put.

Bail (Access to Bail) (Amdt.) Bill, 2017

Friday, September 08, 2017

Mrs. Persad-Bissessar SC: Division.

The House divided: Ayes 17

Noes 17

AYES

Robinson Regis, Hon. C.

Imbert, Hon. C.

Al-Rawi, Hon. F.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Cudjoe, Hon. S.

Garcia, Hon. A.

Forde, E.

Webster-Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Smith, Hon. D.

Francis, Hon. Dr. L.

Jennings-Smith, G.

Antoine, Brig. Gen. A.

Leonce, A.

NOES

Lee, D.

Persad-Bissessar SC, Mrs. K.

Charles, R.

Rambachan, Dr. S.

Karim, F.

Tewarie, Dr. B.

Moonilal, Dr. R.

Newallo-Hosein, Mrs. C.

Gopeesingh, Dr. T.

Gayadeen-Gopeesingh, Mrs. V.

Indarsingh, R.

Ramadhar, P.

Khan, Dr. F.

Singh, G.

Bodoe, Dr. L.

Paray, R.

Ramdial, Miss R.

Madam Speaker: Hon. Members, the result of the division is 17 Members for, 17 Members against, no abstentions. As Chair, I shall now exercise my casting vote and I vote in favour of.

Question agreed to.

Dr. Moonilal: Madam Speaker, can I seek clarification?

Madam Speaker: Madam Clerk, could you kindly proceed?

Clause 2.

Senate amendment read as follows:

In the definition of:

A. “improper inducement” delete and substitute the following:

- (a) the laying of a charge or causing a charge, to be laid, without reasonable cause;
- (b) the coercion of an accused person or suspect to enter into a plea discussion or conclude a plea agreement including a threat –
 - (i) to lay a charge or cause a charge to be laid of the type described in paragraph (a);
 - (ii) that any plea of not guilty entered into by the accused person will result, upon the accused

person's conviction, in the prosecutor asking for a sentence more severe than the sentence that is usually imposed upon an accused person who is convicted of a similar offence;

- (c) the misrepresentation of a material fact either before a plea discussion is entered into or during the course of the discussion;
 - (d) an offer or promise, the fulfilment of which is not the function of the director of public prosecutions; or
 - (e) an attempt to persuade the accused person or suspect to plead guilty notwithstanding the accused person's or suspect's denial of guilt;
- B. "relative" delete the word "other" and substitute the word "appropriate":

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Madam Speaker, if I could? I beg to move that this House do now adjourn to Friday the 15th day of September 2017 at 1.30 p.m. At that time, we will do Motions 1 and 2 and we will follow the Order Paper.

Mr. Lee: Madam Speaker, I just want to interject. I listened to the Leader of Government Business and I just want to state on the record that we came here to debate Motion 1 and 2 and it is very disheartening after nine weeks of vacation.

Madam Speaker: Member for Pointe-a-Pierre, the Motion for the adjournment is put without any debate. [*Crosstalk*]

Question put.

Madam Speaker: Take a division on that?

Hon. Members: Yes. [*Continuous crosstalk*]

Madam Speaker: Members, could we take the vote in silence, please?

The House divided: Ayes 17 Noes 17

AYES

Robinson Regis, Hon. C.

Imbert, Hon. C.

Al-Rawi, Hon. F.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Garcia, Hon. A.

Forde, E.

Webster-Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Smith, Hon. D.

Francis, Hon. Dr. L.

Jennings-Smith, Mrs. G.

[*Crosstalk*]

Madam Speaker: Members, we are in the process of conducting a vote, I would, again, ask you to please allow the vote to be taken in silence.

Division continued.

Antoine, Brig. Gen. A.

Leonce, A.

Cudjoe, Hon. S.

NOES

Lee, D.

Persad-Bissessar SC, Mrs. K.

Charles, R.

Rambachan, Dr. S.

Karim, F.

Tewarie, Dr. B.

Moonilal, Dr. R.

Newallo-Hosein, Mrs. C.

Gopeesingh, Dr. T.

Gayadeen-Gopeesingh, Mrs. V.

Adjournment

Friday, September 08, 2017

Indarsingh, R.

Ramadhar, P.

Khan, Dr. F.

Singh, G.

Bodoe, Dr. L.

Paray, R.

Ramdial, Miss R.

Madam Speaker: Hon. Members, the result of the division is 17 Members for, 17 Members against, no abstentions. In the circumstances, the Chair using the casting vote, I vote in favour.

Question agreed to.

House adjourned accordingly.

Adjourned at 3.33 p.m.