



REPUBLIC OF TRINIDAD AND TOBAGO

# Debates of the House of Representatives

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5th Session – 10th Parliament (Rep.) – Volume 33 – Number 21

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**OFFICIAL REPORT  
(HANSARD)**

THE HONOURABLE WADE MARK  
SPEAKER

THE HONOURABLE NELA KHAN  
DEPUTY SPEAKER

**Friday 30th January, 2015**

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

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*Leave of Absence**Friday, January 30, 2015***HOUSE OF REPRESENTATIVES***Friday, January 30, 2015*

The House met at 1.30 p.m.

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

**Mr. Speaker:** Hon. Members, I have received communication from the following Members: the hon. Winston Dookeran, Member of Parliament for Tunapuna, is currently out of the country and has asked to be excused from today's sitting of the House; the hon. Rudranath Indarsingh, Member of Parliament for Couva South and Mr. Patrick Manning, Member of Parliament for San Fernando East, have asked to be excused from today's sitting of the House; the hon. Vernella Alleyne-Toppin, Member of Parliament for Tobago East, has also asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

**VISTORS****(Delegation from the Parliament of Bermuda)**

**Mr. Speaker:** Hon. Members, in the Speaker's Gallery today, is a very powerful delegation from the Parliament of Bermuda. This delegation is headed by Hon. K. H. Randolph Horton, JP, MP, Speaker and leader of the delegation. It also includes: Mr. N. H. Cole Simons, JP, MP, Government Whip; Ms. Lovitta F. Foggo, JP, MP, Member; Ms. Susan E. Jackson, JP, MP, Member; Mr. C. Walton Brown, JP, MP, Member and Ms. Shernette Wolffe, Clerk of the Assembly and Secretary to the delegation. On your behalf I would like to warmly welcome the delegation. [*Desk thumping*]

**CLARIFICATION RE:****APPLICATION OF SUB JUDICE RULE**

**Mr. Speaker:** Hon. Members, I received a Motion of No Confidence in the Minister of Finance and the Economy from the hon. Member for Chaguanas West, on December 30, 2014, and I approved the same on January 05, 2015. The Motion qualified for debate on January 12, 2015. By agreement it came up for debate on Friday, January 23, 2015, Private Members' Day. The Motion by its recitals raised the issue of the conduct of the Minister of Finance and the Economy in his former capacity as Chief Executive Officer of First Citizens Bank during the period 2006—2009 at a time when the First Citizens Bank granted a

loan to Carlton Savannah Limited, now in receivership, for the construction of a hotel.

Hon. Members, on January 22, 2015, I received a letter, with enclosures, dated January 22, 2015, from the Minister of Finance and the Economy, which I have caused to be circulated to Members, which stated as follows:

“Dear Mr. Speaker,

I enclose a copy of Legal Documents served on the Sunshine Newspapers regarding allegations made, with respect to a loan granted to Carlton Savannah Limited, for your information.

Yours faithfully,

Larry Howai

Minister of Finance and the Economy”

The letter contained the following enclosures:

- (1) a letter dated January 20, 2015, from Ms. Lydia Mendonca & Co., Attorneys-at-Law, to the Minister of Finance and the Economy, stamped as having been received by the Minister of Finance and the Economy on January 21, 2015, captioned CV2015-00159, Larry Howai v Azad Ali and Sunshine Publishing Company Limited, advising the Minister:
  - (a) that on January 16, 2015 they had filed proceedings in the High Court on his behalf commencing action against Azad Ali and Sunshine Publishing Company Limited claiming, inter alia, damages for libel and injunctive relief, and
  - (b) that the Claim Form and Statement of Case were served on the defendants on January 19, 2015;
- (2) copies of the returns of personal service on the defendants; and
- (3) a copy of the Claim Form and Statement of Case, both dated January 6, 2015, and both bearing the official stamp of the High Court dated January 16, 2015.

Hon. Members, a perusal of the Claim Form and Statement of Case revealed that both the legal proceedings and the Motion before the House concerned the conduct of the Minister of Finance and the Economy in his former capacity as CEO of FCB at the time that FCB granted a loan to Carlton Savannah Limited.

Accordingly, hon. Members, having received notification of these legal proceedings, it became apparent to me that consideration would have to be given to the application of the sub judice rule when the Motion came up for debate.

Hon. Members will recognize that the sub judice rule is a discretionary restraint imposed by the House itself on the absolute privilege of freedom of speech of its Members. This is because of the need for comity between the Judiciary and the Legislature, and the Legislature's commitment to not adversely affect legal proceedings or to be seen to be determining disputes when that is the sole preserve of the Judiciary.

Hon. Members, neither the Standing Orders of the House of Representatives, nor parliamentary practice, limits the application of the sub judice rule to criminal proceedings only. The rule is to be applied on a case by case basis, considering the nature of the debate before the House, the nature of the related legal proceedings and the relevant Standing Order.

As a consequence, hon. Members, I felt it necessary that before debate on the Motion began, I should bring to the attention of the mover of the Motion and of the House that legal proceedings related to the subject matter of the Motion had commenced in the High Court and that a consideration of the sub judice rule arose as a consequence.

I indicated that I had received only a few hours before the start of that sitting, a notice from the High Court of the Republic of Trinidad and Tobago, dated January 16, 2015, concerning a matter involving Larry Howai and Azad Ali of the Sunshine Publishing Company Limited.

That was clearly incorrect! I assure this honourable House that that error was through inadvertence only. It was my intention to say that I had received notification of a matter involving Larry Howai and Azad Ali which had been filed on January 16, 2015, the date of the official stamp of the High Court on both the Claim Form and Statement of Case.

**1.45 p.m.**

Hon. Members, I sincerely regret the embarrassment to the Judiciary as my statement would have incorrectly conveyed the impression that the Judiciary had, on its own volition, notified me of a matter before it. On January 26, 2015, I wrote to the hon. Chief Justice expressing my regret and assuring him of the mutual respect and comity which exist between the Parliament and the Judiciary and to which this House is resolutely committed. The hon. Chief Justice, on January 27, 2015 acknowledged receipt of my letter.

I also sincerely regret that through my error it may have appeared that I wilfully misled this honourable House, and for that I most respectfully apologize.

I wish to assure all hon. Members that I never intended to mislead this honourable House.

I wish, in closing, to ask hon. Members to note that after I brought to the attention of the House the existence of the said legal proceedings, in exercise of my discretion as the Presiding Officer, I permitted debate on the Motion to commence. I did not—I wish to repeat—I did not—deny or shut down debate on the Motion. It was the mover of the Motion who, of his own volition, after he commenced his presentation, decided not to proceed. The transcript of the proceedings of that sitting is evidence of what transpired.

I thank you for your indulgence, hon. Members.

**Mr. Deyalsingh:** Mr. Speaker, Mr. Speaker, Mr. Speaker, I rise under section 55 of the Constitution on a point of clarification.

**Mr. Speaker:** No, not at this time.

**Mr. Deyalsingh:** Mr. Speaker, I rise under section 55—[*Crosstalk*]

#### URGENT QUESTIONS

**Mr. Speaker:** The hon. Member for Diego Martin Central. [*Crosstalk*]

**Dr. Browne:** Mr. Speaker, do I have your attention? Urgent question to the Minister of National Security.

**Mr. Speaker:** Yes, go ahead.

**Dr. Browne:** May I proceed?

**Mr. Speaker:** Yes.

#### Guidelines and Protocols for Police Officers (Details of)

**Dr. Amery Browne (Diego Martin Central):** In light of the very recent videotaped shooting incident involving the President's escort detail and another vehicle, can the Minister indicate to the House what guidelines and protocols are provided to the relevant police officers who conduct such duties? Can the Minister further indicate on which specific Acts of Parliament/Regulations such guidelines are based?

**Mr. Speaker:** The hon. Minister of National Security. [*Desk thumping*]

**The Minister of National Security (Sen. The Hon. Gary Griffith):** Thank you, Mr. Speaker. I am the Minister of National Security.

In the case of drills for the protection of principals during a convoy, Mr. Speaker, there are immediate action drills that are conducted and required by



those who provide security. So we do indeed have guidelines and protocols. The drills will be based on the extent of the threat. Hence it is critical that those involved in security for such VIPs, inclusive of the President and Prime Minister's security duty, they are fully versed and trained to ascertain the threat assessment and then to know what is required based on that threat.

Obviously, in their response there would be immediate action drills that would increase, based on that threat assessment. For example, if there is an ambush, there is a specific drill to secure the principal which will include a rear echelon vehicle staying a certain way back from the fire fight that can then provide that fire support and recovery to extract the principal as they were not part of the ambush. Hence the reason, for example, for the importance of armoured personnel carriers which, by the way, is the—in the case is used for security for most heads of state worldwide. And one could easily recall the shooting of the vehicle that was carrying the First Lady, Mrs. Hassanali, so it is not impossible for it to happen here.

Likewise, contrary to what some may think, when we have convoys carrying Presidents, Prime Ministers, and so forth, they do not overtake because they are trying to avoid the traffic, but to ensure that they do not become a static target, as it is a recipe for an ambush.

So if vehicles, for example, will follow and join such a convoy, there would be an immediate concern. There would be an immediate action drill and the law enforcement officials are authorized to conduct these drills based on that threat assessment. That decision will be based on the officer on the site at the time and if he feels that there is a direct threat to the principal. So it is really a judgment call.

As it pertains to the regulation, in the police regulations the authorization is given for police officers to draw their firearm, if fired upon, or based on that threat assessment, if there is a threat to the police officer or a fellow officer or that of a citizen or that of the principal who he is assigned to protect. There is, however, a minimum use-of-force policy which will also be considered when committing such actions.

So, Mr. Speaker, the firearm training would allow the police officer to be trained in such aspects. There is a use-of-force policy based on the threat assessment and there would be case laws that will define such. The training is all done through the National Security Training Academy that provides that type of joint training.

However, pertaining to the matter in particular, as I close, I would be unable to comment on if the minimum use-of-force policy was used because that matter is still being investigated by the police.

**Mr. Speaker:** The hon. Member for Diego Martin Central.

**Dr. A. Browne:** Thank you for the response, hon. Minister. Are there written protocols that can be shared with the public that would include the issues of minimum distance from the principals, as you indicate, and other guidelines that will help better inform the public? The parallel in the United States would be the Secret Service Act which provides some further substance to allow for safety, both of the principal and of members of the public, and the officers themselves.

**Mr. Speaker:** The hon. Minister of National Security.

**Sen. The Hon. G. Griffith:** Mr. Speaker, whereas in the Defence Force they have a manual for the minimum use-of-force policy, the police does not have a manual with regulations for the police. What I can say, however, Mr. Speaker, is that we can actually try to inform the public for them to be aware of the specific type of drills that are required and for them to be able to understand the critical aspect of such a convoy and what is required. Because we have seen, on many occasions, when we have a convoy—even with the President or the Prime Minister—vehicles will actually follow and join the convoy, and it is something that is putting the lives of the principal at risk and also that of the individuals. So we can actually put something to actually—a public awareness campaign for them to understand what is required and what not to do.

**Mr. Speaker:** The hon. Member for Diego Martin Central.

#### **Medical Research Foundation (Funding)**

**Dr. Amery Browne (Diego Martin Central):** Given the challenges at the Medical Research Foundation to have their hard-working staff paid this month,—what steps is the Minister taking to ensure that the Medical Research Foundation receives timely and adequate funding to carry out its duties on behalf of the Government of Trinidad and Tobago?

**Mr. Speaker:** The Hon. Minister of Health. [*Desk thumping*]

**The Minister of Health (Hon. Dr. Fuad Khan):** Thank you, Mr. Speaker. I could answer that question with two words: “all steps” at the Ministry of Health, and sit, but I would not do that, seeing the Member of Parliament for Diego

Martin Central has indicated in his question the challenges at the Medical Research Foundation. I wonder if the challenges you are referring to is the lack of submitted research in the years 2002 to 2010, because the last submitted research was 2011 and previous to that was 2001. So I wonder if those are the challenges that you are speaking about.

Now, two, I would like to say that they have been receiving money timely. In November they received \$323,106.95 in one month—that was in November last year—and December, \$333,697.55. You see, Mr. Speaker, the moneys that we give are being paid for salaries, rent and basic expenses. Mind you, one of those people who are accepting the salaries, they are in receipt of a salary, from what I understand, of \$120,000 per month—one person.

You see, at the Ministry of Health, they have asked for a medical, a clinical and an administrative audit that is about to start. However, the Ministry of Health has limited access to the records and there were no reports or findings that were submitted to the Ministry of Health, the last being 2011. So the audit is going to take place, but salaries, rent and basic expenses are being paid.

**Mr. Speaker:** The hon. Member for Diego Martin Central.

**Dr. A. Browne:** A supplemental. The Minister asked for some clarification. The question refer not to submission of research or payment for same. The question is relevant to the provision of care for persons living with HIV in Trinidad; serious, not a facetious matter at all.

In terms of the supplemental, is the Minister aware that the foundation has found difficulty in paying salaries on time, on a month-to-month basis after the last subvention was paused, or has not been paid since 2014? That is the concern really before us, and affecting clients and staff.

**Mr. Speaker:** The hon. Minister of Health.

**Hon. Dr. F. Khan:** Mr. Speaker, the Minister is aware of what the Member for Diego Martin Central has indicated. However, from what I have just indicated, we have paid salaries up to December 2014 and also basic rental and basic expenses. So I do not understand how the Member would indicate, when we are paying for basic expenses, basic salaries and rent, how it could possibly be that the members who are having HIV in this country have a problem. They are being catered for, Mr. Speaker, as well as those at the QPCC and there are other clinics throughout the country that are taking care of people who suffer with HIV.

So one cannot indicate the condemnation of the Ministry in that regard, and the Minister is aware that the last subvention was in 2014—I think it was 2013—

and we are looking at providing the subvention via Cabinet. However, one has to answer the proper questions in Cabinet and one question that always comes up is: what is the budget of that MRFDT? And we are working together with the clinical audit for the medical clinic and administrative audit so we could present to Cabinet for the subventions, proper records.

However, as I indicated previously, the Ministry of Health has limited access so we have to keep going back and forth looking for the system. It is in the policy department right now and it is being handled, rest assured.

**Miss Mc Donald:** Mr. Speaker, I rise on Questions for Written Answers, please. Again, I have to request from the Leader of Government Business, the responses to the questions, and I have been doing this every week. But at this point, I would like you to look at Standing Order 29(13) because it looks as if you may have to invoke this particular Standing Order. [*Desk thumping*] We are not getting any responses, Mr. Speaker!

**2.00 p.m.**

**Hon. Dr. Moonilal:** Mr. Speaker, I dread my friend, the Member for Port of Spain South, invoking anything, but I want to indicate again—Mr. Speaker, as you would recall regrettably on the last occasion, the Parliament adjourned hurriedly and the sitting was abbreviated somewhat due to circumstances which are known. On that occasion, we did make commitments to circulate several of the answers.

Today on the Order Paper, there are no questions for oral answers on the Order Paper, but there are questions for written answers and I want to indicate that today we intend to circulate, as the practice during the sitting, answers to questions Nos. 24, 39, 43, 54 and 61 and we will ask that questions Nos. 60 and 42, those two questions, be deferred for two weeks. So we intend to deal with about eight out of the 10 questions today, but there are none for oral responses at this time.

Thank you.

**Mr. Speaker:** The hon. Leader of the Opposition.

**Dr. Rowley:** Mr. Speaker, as the author of questions Nos. 60 and 42 which qualified for the Order Paper by January 15 and December 11, I rise under Standing Order 29(13) requesting—notwithstanding the Member's intervention, I rise under Standing Order 29(13) to invoke Standing Order 29(13) now. [*Desk thumping*]

**Hon. Dr. Moonilal:** Mr. Speaker, the Leader of the Opposition, indeed, is also the person asking question No. 61 today as well, but we will have the answer for that. I have asked the Minister of Land and Marine Resources and he is prepared to try his best during the course of the proceedings today to have a written response to question No 60. No. 42 remain outstanding and we are asking for two weeks, but, of course, the Member is, of course, very much free, given his interpretation and the interpretation of the Chair, to invoke 29(13). If that is his wish, that is fine, but we will try to complete 60 during the course of the proceedings today from the Minister of Land and Marine Resources.

**Mr. Speaker:** I will have some consultation with the Clerk in terms of the application of this particular Standing Order and we shall communicate with you as we normally do and if necessary communicate with the Leader of Government Business if it becomes necessary to ensure that this Standing Order is observed.

**BAIL (AMDT.) BILL, 2015**

An Act to amend the Bail Act, Chap. 4:60 [*The Attorney General*]; read the first time.

**TRINIDAD AND TOBAGO PANAMA PARTIAL  
SCOPE TRADE AGREEMENT BILL, 2014**

*Order for second reading read.*

**The Minister of Trade, Industry, Investment and Communications (Sen. The Hon. Vasant Bharath):** Thank you, Mr. Speaker. Mr. Speaker, I beg to move:

That a Bill to give effect to the Partial Scope Trade Agreement between the Republic of Trinidad and Tobago and the Republic of Panama and for related matters, be now read a second time.

Mr. Speaker, I want to thank you for the opportunity, and my colleagues, of course, for the opportunity to move this Bill in this House here today, but I want to start by extending my sincerest condolences to our dear friend and colleague, hon. Member for Couva South and Minister of State in the Ministry of Finance and the Economy, whose father departed this earth earlier this week, and our prayers are with him and his family during this agonizing and very sad time.

Mr. Speaker, what we are witnessing today is the unfolding of a deliberate and carefully planned strategy and vision for prudently implementing the expansion of trade and industry in Trinidad and Tobago. The Bill to give effect to the Partial Scope Trade Agreement between the Republic of Trinidad and Tobago and the Republic of Panama has its origins in a vision that is a deliberate strategy to do as planned in a way that benefits the people of Trinidad and Tobago.

In 2010, when the People's Partnership came to the people to ask for their vote, we made a number of very clear manifesto promises on things that we would pursue to put the economy right, which was at the time fatigued and overstretched. Our focus then, as it is today, was people-centred policies centred on poverty eradication and economic prosperity for all. You will remember, Mr. Speaker that in 2010, when the Government came into office, this country had suffered negative growth in that year of 4 per cent. It was the first time in 17 years, since 1993, that Trinidad and Tobago had suffered negative growth. It was also a time of high inflationary pressures. It was also a time when our neighbours as well as many of our trading partners were suffering significantly from the financial woes created by the financial crisis of 2008; indeed, many of them were on the brink of bankruptcy.

It is no secret, Mr. Speaker, that since that time the Kamla Persad-Bissessar administration has delivered on over 90 per cent of the promises made in that manifesto. [*Desk thumping*] In that 2010 manifesto, we said and I quote:

“The guiding principles of our trade policy will be that trade must result in economic and social benefits for our people. We recognise that the role of government is to facilitate trade but that it is the private sector which engages in trade.”

At that time, we were pronouncing on a future that we were determined to create. Today, we have arrived at that future and we have achieved what we have set out to do. [*Desk thumping*]

Mr. Speaker, even considering the very many ways that trade has been reinvented, not just in Trinidad and Tobago, but worldwide over the last five years because of the many different influences and factors that have been brought to bear by the crises of 2008 and other crises, the fact is this is further evidence of a high performance Government that is guided by the credo, people and country first. And in making that commitment, we went even further and I quote again from the manifesto:

“We will...

- Pursue a more aggressive trade policy with Central America and South America in particular”

Today, Mr. Speaker, after a tremendous amount of work to energize trade and economic activity, we are here today discussing the Trinidad and Tobago Panama Partial Scope Trade Agreement, yet another promise delivered by the Kamla Persad-Bissessar led Government. [*Desk thumping*]

As I mentioned earlier on, we recognize wholeheartedly that the private sector is the engine of growth for any economy, but Governments must lay the foundation and create the enabling environment in which to allow the private sector to thrive. It is why we set about so assiduously ensuring that we could create that environment by removing as many bureaucratic obstacles as we possibly could.

Mr. Speaker, during the last three and a half/four years we have worked on a factor called “Ease of Doing Business in Trinidad and Tobago” in which over that period Trinidad and Tobago has done progressively well. But in particular, in creating the economic environment and the enabling environment of which I spoke, there are several factors that we had to aggressively pursue—the bureaucracy, of course, was one of them—and that has resulted in 2014 in Trinidad and Tobago, and I quote here from “The Doing Business Report of the World Bank,” ranking Trinidad and Tobago amongst the top 10 performers worldwide [*Desk thumping*]. It says specifically on page 5 of that report, and I quote:

“among the 21 economies with the most reforms making it easier to do business worldwide in 2013/14, ten (10) stand out as having improved the most in performance on the Doing Business indicators.”

One of those is Trinidad and Tobago. [*Desk thumping*] And, Mr. Speaker, in a letter of congratulation from Mrs. Sophie Sirtaine, who is the World Bank’s Caribbean Country Manager. she said:

“I would like to convey my sincere congratulations to Trinidad and Tobago on its ranking in the 2013/2014 Doing Business Report...which places your country once more in a leadership position in the region.’ As the only economy from Latin America and the Caribbean who is ranked among the top ten improvers worldwide...‘the reforms your country engaged on span across the highest number of indicators in the Caribbean’.” For such leading reforms, you ought to be congratulated.”

Mr. Speaker, I want to take this opportunity to congratulate many of my staff who are here today, who have been involved over the last four years in making sure that we remove as much of the bureaucracy in Trinidad and Tobago as we possibly could have done and we continue to do so, and as I say, my heartiest congratulations to those members of staff who have worked many, many long hours and continue to do so to make sure that this happens.

Mr. Speaker, today also, in addition to creating an environment for making it easy to do business, we have also created institutions that are welcoming to

*T&T Panama Partial Scope Trade Bill*  
[SEN. THE HON. V. BHARATH]

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investors in Trinidad and Tobago. So, for example, investTT a mere three and a half years ago, was a conglomeration of many organizations, spanning essentially three Ministries and 12 agencies, that were accepting business proposals into Trinidad and Tobago. Two and a half years ago, we ensured that there was only going to be one agency, creating less confusion for the people of Trinidad and Tobago, as well as foreign direct investors, so that investors will be less frustrated when they came to Trinidad and Tobago to place that elusive investment dollar. And, Mr. Speaker, as we speak, I hope it is not out of place for me, but I want to take this opportunity to—I see coming into the Gallery here today, the Minister of Justice from Saudi Arabia, who happens to be here at an appropriate time as we speak because they are also here looking to invest in Trinidad and Tobago. [*Desk thumping*]

Last week, Mr. Speaker, as I add to what I am speaking here with regard to creating the environment, the IMF was in Trinidad, and this is what the IMF had to say. The IMF has said and I quote out of the IMF's report.

“There has also been further progress on financial reforms, while improvements in easing the costs of doing business”—in Trinidad and Tobago—“have indeed been impressive.” [*Desk thumping*]

That is what the IMF said last week with regard to doing business in Trinidad and Tobago.

But, of course, creating the environment in Trinidad and Tobago with a population of 1.3 million people, we understand, is not good enough. We have got to create an environment that will allow our manufacturers a wider pool of consumers. We have got to create an environment that allows our manufacturers markets whereby, as a result of the larger numbers that they will produce, will reduce their economies of scale. We need to create environments whereby our manufacturers can spread their wings and access new technologies. And so, therefore, over the last four years we have been able to start looking at new markets that our manufacturers, and indeed some of our traders, would have access to so that they can sell more products and they can reduce—as I said, they can manufacture more products and they can increase their economies of scale.

### **2.15 p.m.**

But very importantly, it allows them—because of the increased economies of scale to protect their local market against global competition. Because, as you will appreciate, our markets are now almost completely opened to the world markets and so therefore, you have products coming in from various countries across the world: from China, from India, from Africa, from European markets, into



Trinidad and Tobago. And our local manufacturers have not just to be quality conscious, they have got to be very price conscious with regard to being able to compete and hold their own on their local markets. And it is with that in mind, we have aggressively started a campaign to ensure that we can pursue new markets and in particular South and Central American markets.

It is the reason why today, Mr. Speaker, we have recently signed or we are about to bring this agreement into force, but also as you may recall, in 2013 we signed the European Partnership Agreement which, of course, allows us access to 500 million people. We are also hopefully attempting to sign the Canada-Caricom agreement shortly but, of course, there has been a little bit of hesitancy amongst our Caricom neighbours who are at different stages of development and so therefore that particular agreement is somewhat tardy in being signed.

Mr. Speaker, just for a bit of background, formal relations between Trinidad and Tobago—as far as diplomatic relations are concerned—started with Panama in 1994, and in 1995, Panama established a resident diplomatic mission here in Port of Spain which was also accredited by the Association of Caribbean States. Since then, Trinidad and Tobago’s balance of payments with Panama has generally been positive. In 2009, just before this Government came into office, that balance of trade figure was US \$40 million. Today, five years later, a short five years later, that trade surplus stands at US \$133 million. [*Desk thumping*] More than three times the amount of trade has taken place in the last four years between Trinidad and Tobago and Panama.

Negotiations for the Trinidad and Tobago Panama Partial Scope Trade Agreement were initiated in January 2011 and concluded in June 2011, and negotiations were held between January 25 and 27, 2011 here in Port of Spain, March 28 and April 01, 2011, in Panama City, and May and June 2011 here in Port of Spain. Let me also congratulate my colleague, now Minister of Works and Infrastructure and then Minister of Foreign Affairs, when he was then Minister of Foreign Affairs, who would have started the negotiations on behalf of Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, I also want to reinforce and reiterate that the negotiations were only concluded after extensive consultations with our Caricom neighbours, of course, who had asked for several of the products that they have coming into Trinidad and Tobago be removed from the list and, of course, the agreement was then signed off in October 2013.

*T&T Panama Partial Scope Trade Bill*  
[SEN. THE HON. V. BHARATH]

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So, if you were to look at some of the details of the agreement because, of course, the details will actually give us an indication of where the true value for our citizens come. The agreement really covers several areas: goods, trade facilitation, trade in services, investment and legal institutional arrangements. And of course, the agreement seeks to enhance economic relations clearly between Trinidad and Tobago and Panama. It seeks to eliminate barriers to trade. It seeks to expand the trade in goods and services. It seeks to strengthen activities in all other and relevant areas of trade, and, of course, to provide fair conditions of competition for trade.

So if I could take them in the order in which I read them, the first is trade in goods. The agreement sets out the rules for reduction of customs duties by both nations by alleviating the negative effects, of course, of non-tariff barriers, non-tariff measures. Amongst the non-tariff measures are import and export restrictions including import licences, technical barriers to trade and sanitary and phytosanitary measures. The agreement mandates that both countries apply measures that are consistent with the relevant World Trade Organization agreements. With regard to the elimination of duties, the agreement sets out the products for which the duties will be eliminated or reduced and the mechanisms that will be adopted for such reductions.

Mr. Speaker, as we are all aware, the present turbulence that prevails across the globe, particularly with regard to economies like ours that are dependent on oil and gas, is very relevant to us here in Trinidad and Tobago because what we essentially are suffering, of course, is a revenue challenge rather than—in Trinidad and Tobago in particular—any fundamental economic issues.

And so therefore, a relevant question to ask is: if we were to reduce duties on products coming into Trinidad and Tobago for goods manufactured in Panama, what would be the loss in duties and loss in revenues as a country that we may suffer? Well, to give you an example of the most recent data that we have for the period 2010, the estimated annual tariff revenues generated from imports from Panama were US \$152,276. The Ministry has estimated that approximately US \$85,000 out of that will be lost annually from tariff revenues. But when one sets that off against the increase of trade of Trinidadian products being able to go into the Panamanian market, the loss of \$85,000, I think we will all agree, will be insignificant. But I also want to highlight that in 2009, total exports from Trinidad and Tobago to Panama were TT \$313.8 million. By 2014, Mr. Speaker, that figure had shot up to \$942 million. [*Desk thumping*]

Mr. Speaker, as we pursue this new agreement, Panama has provided preferential access for 230 products from Trinidad and Tobago. These products include agro-processed goods, essentially cocoa, cereals and nuts, water; lubricating oils and other petroleum products; plastics and paper containers and other packaging materials, paper products; tiles and blocks and metal products. According to the agro sector, there are 46 items in the agro-processing sector, 25 in petrochemicals and 159 in the manufacturing sector. But that is very important because the manufacturing sector in Trinidad and Tobago clearly is one of those that have been identified over the years as one of the engines for diversification of the economy, and currently the manufacturing sector employs over 60,000 people, and contributes about 9 per cent to GDP. So, it is very important that manufactured goods in Trinidad and Tobago have access to the Panamanian market.

It was agreed that Panama would reduce its duty structure in three ways—initially, duty-free access for 159 products at the date of entry into force—so upon this agreement coming into force, 159 out of 230 products would have immediate duty-free access into Panama; a phased reduction of duties for 29 products over a period of 10 years; a 25 per cent discount on duties for 26 products and a 50 per cent discount on duties for 16 products. In return, Trinidad and Tobago has committed to provide preferential access for 248 products coming in from Panama. Amongst these products were agricultural products, meat, fish, eggs, fruits and vegetables, agro-processed products, infant juices—for example, pear, apricot and peach juices—lubricating oils, plastic ware, wood, paper products, clothing, apparel and metal products.

As I mentioned, there were extensive negotiations with regard to products that will be manufactured in the Caricom region to ensure that those products did not suffer as a result, or certainly the interests of Caricom neighbours did not suffer as a result of their products being on that list. So none of the products manufactured in the Caricom region are on that list so they are not affected in any way. Trinidad and Tobago has agreed to reduce its tariffs accordingly in the following way: duty-free access for 98 products at the date of entry; phased reduction of duties for 119 products over a period of 10 years; a phased reduction of duties for 19 products over a period of five years and a 50 per cent discount on duties for six products and seasonal duty-free access for six products during the period June to December.

Mr. Speaker, the second area is the rules of origin, and the rules of origin section of the agreement sets out the criteria for goods to qualify as originating and eligible therefore for the preferential treatment and lists the procedures to

establish proof of origin and describes the process for the control and verification of origin.

Specific—and this is very important, Mr. Speaker—rules of origin will serve to restrict goods from Third World countries. In other words, Panama has a very large free zone. As we all know, the Panama Canal is being extended such that it is almost going to be increased by about 60 per cent of its existing capacity. But it has a major free zone trading area where goods come in from the Far East, from China, from other parts of the world. But there are specific rules of origin that will prevent those products from coming to Trinidad and Tobago under this arrangement. In other words, the only goods that can come to Trinidad and Tobago under this preferential arrangement will be those that are actually manufactured in Panama.

The third area is trade facilitation, and the agreement establishes a mechanism to develop electronic exchange of trade documentation and other trade facilitation measures. And it is anticipated that the Trinidad and Tobago—the TTBizLink, as we call it, the single electronic window, will be utilized for such exchange of information.

I want to mention this because the last time I spoke in this House, I had mentioned that there was supposed to have taken place, sometime in the future, an interface between the Customs Border Control and the single electronic window. Customs Border Control, of course, being operated by the Trinidad and Tobago Customs, and the ASYCUDA and the single electronic window being organized by the Ministry of Trade—operated by the Ministry of Trade, Industry, Investment and Communications. That interface actually took place in November 2014. Such that, in the past what would happen is a broker would have—anyone who understands the customs process—a customs broker would have to input information into the ASYCUDA Customs Border Control System, wait to receive acknowledgement of that, and then physically take that document to five government agencies. That document would have to go to the Ministry of Trade, Industry, Investment and Communications, to the Bureau of Standards, to the Chemistry, Food and Drugs and the plant quarantine and animal quarantine. Each of those organizations/agencies would have to stamp it and acknowledge that there was no information on that particular document that was contrary to the Regulations.

Today, the customs broker inputs the information into the ASYCUDA system, the Customs Border Control System, and it is automatically shared across all of those agencies in a matter of seconds. [*Desk thumping*] It would assist by

removing several days out of the process in terms of processing documentation and, as a result, clearing goods off the ports of Trinidad and Tobago, and directly affect the costs positively of doing business in Trinidad and Tobago.

Mr. Speaker, the other area is trade in services, and in this area, the agreement provides for negotiations on liberalization of 16 service areas two years after the date of entry into force of the agreement. The service sector in Trinidad and Tobago currently represents about 15 per cent of GDP.

**2.30 p.m.**

One of the areas of diversification for the economy, Mr. Speaker, is the financial services sector, together with ICT, tourism, the creative industry sector, agro-processing and the maritime sector.

But, the financial services sector already has a major platform on which we can build. In fact, Mr. Speaker, only very recently we started something called Finesse which, essentially, is creating a back office function for organizations in Trinidad and Tobago whereby many of their functions of HR, accounting, marketing, and customer service are placed in Trinidad and Tobago but to service markets across the Caribbean.

This is important because the intention is that these services by these organizations will, at some point in time in the very near future, be rolled out to Central America and Latin America. And so, therefore, in the last 18 months, in Trinidad and Tobago, in this new industry that we have started, we have created 1,000 new high-paying jobs right here in Trinidad and Tobago— [*Desk thumping* ]—through RBC and Scotia Bank who have now located their back office functions here in Trinidad and Tobago.

Over the last three or four months, we have had interest in Trinidad and Tobago from companies as far and as large as Infosys out of India, General Electric out of the US and several other large companies who are involved in back office functions in other markets, who are now looking to relocate to this part of the world and they are expressing great interest in the enabling environment that we are creating here in Trinidad and Tobago and we expect, very shortly, to be in a position to sign on with a company who is currently operating in Jamaica and they have created 3,000 jobs in the last three years in Jamaica in this very same sphere and we are hopeful that very shortly, and I do not want to be pre-emptive, that we will be in a position to sign an MOU with them in February of 2015, that will create 1,000 new jobs in 2015 in Trinidad and Tobago in the same area, Mr. Speaker.

**Dr. Gopeesingh:** Additional jobs.

**Sen. The Hon. V. Bharath:** Additional jobs. I also want to say that on many occasions the many naysayers have spoken about the lack of diversification, but I want to put on the record that since 2010 to 2014, an additional \$13 billion has been added to the revenue streams of Trinidad and Tobago coming out of the non-energy sector. [*Desk thumping*]

Mr. Speaker, the sectors identified for services are many of the sectors that we want to diversify into: travel and tourism; information technology; maritime; the financial services; education services—I am sure Dr. Gopeesingh would be very pleased—construction services; recreational services; health, wellness and related services. We have a very exciting project—again I do not want to be premature—that is before the Cabinet today right as we speak, that is a private sector/public sector partnership in the health sector that can kick-start medical tourism right here in Trinidad and Tobago, [*Desk thumping*] cultural services; sporting services; energy services; port services; distribution services; research and development services; transport services and computer and related services.

Mr. Speaker, the other area is investments, and in terms of investment the agreement provides for the negotiation of a bilateral and investment treaty one year after the agreement comes into force. And it would obviously seek to promote investments and protect investors of both parties.

The other area is the legal and institutional arrangement, which establishes a joint administration commission that would be responsible for overseeing the implementation of the agreement amongst other activities. It will also provide for dispute resolution as part of the agreement. And the agreement also provides for consultation within a 30-day period for any dispute, with respect to trade under this agreement. Those are the broad areas and the broad categories that the agreement covers, Mr. Speaker.

But what of the benefits for the people of Trinidad and Tobago? Clearly, Mr. Speaker, the implementation of this agreement with Panama, as will other agreements, will advance the Government's agenda for increasing our South-South Cooperation.

Mr. Speaker, for many years, in fact our history is littered with the fact that we have always sought to deal and communicate with and trade with those who are easier to do so, and in that case we always look to the north to those people who spoke a similar language as we did, who spoke English generally, made it easier. But today the world has opened up considerably and we now have to look at other markets, other geographies, as economies of scale become more necessary and as

trade with other countries becomes more necessary for us to survive, as we seek to move away our revenue streams primarily from the focus on oil and gas.

So, the implementation, of course, will expand mutually beneficial trading relations with Central America. Of course, it will create a number of opportunities for the export of goods and services from Trinidad and Tobago and create, we expect, thousands of new jobs as we engage with other new markets.

Further, the agreement will give preferential access for 241 products from Trinidad and Tobago into the Panamanian market. I believe the population of Panama is about 3.8 million people. So, of course, it is about three times the size of Trinidad and Tobago. And, of course, at the end of the day, it will promote regional integration and economic cooperation with Latin America and further define Trinidad and Tobago on the world economy.

Mr. Speaker, I would not, in the interest of time, go through the Bill clause by clause. The clauses are relatively simple and straightforward in the Bill that is before us. But the full force of the agreement really becomes very clear when taken in conjunction with the other initiatives offered by the Ministry, some of which I touched on when I first started speaking.

In addition to the creation of the enabling environment, of which I spoke, for exports and, of course, this agreement with Panama, the Ministry is also working to improve the domestic trading environment. We have now formulated a trade policy, not now but two years ago in 2013. We formulated a trade policy 2013 to 2017 and when I last spoke in this honourable House on another matter, I had mentioned that for 10 years, between 2000 and 2010, this country had no trade policy, Mr. Speaker. None. The last trade policy—the former Minister of Foreign Affairs would know that, because she did ask a question on it the last time we spoke—was developed by the UNC Government of 1995 for the period 1995 to 2000.

**Mrs. Gopee-Scoon:** You fall for that?

**Sen. The Hon. V. Bharath:** Mr. Deyalsingh fell for that the last time when he said he was part of it, or he said the PNM had created it. But anyway, the facts are the last trade policy developed by this country, before this one was for the period 1995 to 2000. So, anyway, I do not want to spur him into action.

Mr. Speaker, we have also been involved in strengthening the trade facilitation environment with the introduction of the Chemistry and Food and Drug Division to TTBizLink, which, of course, we all know is the single electronic window; the formulation of advocacy of Trinidad and Tobago's positions and

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strategic initiatives in Caricom, which is the Council for Trade and Economic Development; the conduct of doing business sessions by exportTT for foreign markets such as Costa Rica, Cuba, Dominican Republic and various European markets.

Let me also just say a word about exportTT, because that is another organization that has completely been revamped to be able to perform the functions that it was intended to initially, which really is to provide small manufacturers in Trinidad and Tobago with the tools and the expertise and the experience to allow them to move beyond the borders of Trinidad and Tobago and to start exporting into new markets, initially into the Caricom market and then extra-regionally and similarly Eximbank, another organization that has been repositioned to ensure that they give incentives to those manufacturers who are looking to export extra-regionally. In other words, those manufacturers who have the capacity and ability to export outside of Trinidad and Tobago in the first instance and then subsequently outside of the region are given preferential rates as a rebate once those exports go beyond the shores of the region. So, again, providing an incentive for us to start looking at earning real hard currency for production that is taking place right here in Trinidad and Tobago.

The Ministry has also been supportive of the development of priority sectors such as the food and beverage industry, yachting and maritime services, amongst others.

Let me also give a plug for the food and beverage sector here, Mr. Speaker, because it is common practice, and has been over the years, to attend the food fair in New York. In 2014, when we attended, several companies, during the course of that exhibition, had started selling products into Walmart and Walgreens. Carib is now selling products into the Asian market. They have interests out of Australia. If you go into a Walmart today you would see sweets manufactured proudly in Trinidad and Tobago by KC Confectionary. [*Desk thumping*] Indeed, there are also now in the supermarkets in the United Kingdom, in Tesco's for example, you will see products manufactured by KC Confectionary of Couva, Trinidad and Tobago.

So, Mr. Speaker, as I conclude, I do so as I began, by saying that what we are witnessing here today is the unfolding of a very deliberate and a very strategic and very carefully planned and prudently implemented vision for the expansion of trade and industry in Trinidad and Tobago. And because of the modernized structure of the Ministry of Trade, Industry, Investment and Communications and the mandates for each of the units within the Ministry, we are in a position to



assist and equip manufacturers to take full advantage of the opportunities presented in this agreement.

Indeed, Mr. Speaker, the Trade Implementation Unit of the Ministry was established in October 2011, to ensure that Trinidad and Tobago fulfils its obligations under all existing and all future negotiated trade agreements, including this Partial Scope Agreement with Panama. And the Ministry, of course, has also been working with many stakeholders, in particular the Trinidad and Tobago Manufacturers Association and the chambers of commerce.

Mr. Speaker, as you would know, the Prime Minister, the hon. Kamla Persad-Bissessar, met with the private sector only a few short days ago and during that session many suggestions were made, one of them relating to the availability of labour in Trinidad and Tobago, which, of course, is an issue and has been for many years. I want to announce that I have met with certain members of the private sector and we are developing a plan to allow a movement from some of the make-work programmes into the private sector. But more will be developed and more will be said about that over the next few weeks.

But also, Mr. Speaker, just to let this honourable House know, that in conjunction with the TTMA, the Ministry will be hosting a session in the coming two weeks, I believe, that will alert members of the population and the business sector in particular about all the agreements that we have on our books. Because far too often Government proceeds and we sign agreements, but the private sector is not just unaware but sometimes they forget that these agreements exist and in many cases oftentimes they are unable to access them because they just do not know how to do it.

So the TTMA, in conjunction with the Ministry, will be hosting some workshops that will be specifically geared towards alerting the business community about the agreements that exist on our books, including this new agreement, but also the other agreements that we have on our books. There are quite a few. There are agreements with Cuba, there are agreements with Costa Rica, there are agreements with Venezuela, there are agreements with the Dominican Republic. It is just a question of knowing them in the first place and being able to access them. As I said, we will be hosting that workshop, in conjunction with the TTMA, over the next coming weeks.

Mr. Speaker, this Partial Scope Trade Agreement with Panama is the latest in a series of initiatives taken and undertaken by the Ministry of Trade, Industry, Investment and Communications and represents, essentially, great integration with the Central American community.

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It is this administration's first completed bilateral trade agreement and many people have been involved. My colleague, the former Minister of Trade, Mr. Stephen Cadiz, would have been involved in this process. I mention Dr. Rambachan and, of course, the person who has been leading the charges, is, former Minister of Trade himself, Ambassador Mervyn Assam. I think he himself deserves a hearty round of applause. [*Desk thumping*]

Mr. Speaker, as I conclude, let me say that Trinidad and Tobago has now entered a new era, an advanced era of trading relationships with a new group, and we expect that we will be in a position to be competitive enough and those who are not competitive to become competitive enough to allow us to create sustainable jobs for our people as we move into expansion of these new markets.

Mr. Speaker, the Government has once again demonstrated its determination to keep its promises and to pursue a vision for demonstration that places people at the centre of everything that we do.

With this legislation, Mr. Speaker, the Government seeks to implement this agreement and to propel our country and our economy to the next level of production and trade, as we continue to deliver countless benefits to the people of Trinidad and Tobago. Mr. Speaker, I beg to move. Thank you. [*Desk thumping*]

*Question proposed.*

**Mrs. Paula Gopee-Scoon** (*Point Fortin*): Thank you very much, Mr. Speaker. I am very pleased to respond to this Minister whom I welcome to the Lower House today. But, Mr. Speaker, if I may, and I mean absolutely no disrespect to the hon. Minister, I do like this Minister, but he reminded me—[*Interruption*] not more than so. He is a colleague. We are all colleagues. He reminded me, for all of those persons in here who have very young children—and there are many of them, apart from the hon. Dr. Amery Browne, there are many people in here, young children and grandchildren—I chuckled as I remembered this little man on Sesame Street—absolutely no disrespect, Minister—he walks around, he has a bag on his shoulder and he goes to his targeted customer and he says, little shady character he is—“yuh want something tuh buy? Yuh want something tuh buy?” And so the person responds: “what? What do you have?” and so on. And he goes closely to him, as shady as he is, he puts out his hand, opens it and he says: “air, nothing.” And this is what I feel we got here today from this Minister, lots of things on the table, lots of things on the table. [*Desk thumping*] I am sorry he cannot disclose anything at this precious time. He did not disclose anything for four and a half years, but he has come here with nothing, nothing today, Mr. Speaker.

But I welcome this mega Minister to the House today to present this Bill, which I could tell you upfront, we are going to support. I do not know what hat he is wearing. I know last night he was very busy as Minister of Communications in and out the AG's place of business. I know he is also Minister in the Ministry of Finance and the Economy. Are you as well Minister in the Ministry of Finance and the Economy? For all you know, I expect him to assume that portfolio very soon for particular reasons. [*Desk thumping*] But he is here today as Minister of Trade. And this is the position in which we least know him, Minister of Trade. He is very busy doing the Government's work of communication.

But before we go into the Bill, he spoke a lot about the ease of Doing Business Report and he is very pleased about his Government's recent accolade. Therefore, I refer to a newspaper article in the *Trinidad Express* on January 29, 2015. The 2015 Doing Business Report shows Trinidad and Tobago moved up 12 places in the rankings from 91 out of 189 countries in 2014 to 79. Of course he is very proud of this achievement. But Mr. Speaker, I went to that report to see really what the Minister was speaking about, this Doing Business 2015: Going Beyond Efficiency report in which he is so proud. I sought to find out what it is about, so I went to the introduction of the report. It is available on the Internet and it says:

*“Doing Business sheds light on how easy or difficult it is for a local entrepreneur to open and run a small to medium-size business when complying with relevant regulations.”*

So what the Minister is speaking about, the ease of Doing Business Report, which his Government has done so well, is really just about regulations. It is about measuring and tracking changes in regulations, and it is only relative to small and medium-size businesses. So it is no great accomplishment. It refers strictly to small and medium-size businesses and it refers to regulations. This is about regulatory reform. It is about the regulatory environment. And the report goes on to tell you that it is only part of the story. It is only part of the story. So what this refers to, and it tells you:

*“The Doing Business methodology has limitations. Other areas important to business—such as an economy's proximity to large markets, the quality of its infrastructure services (other than those related to trading across borders and getting electricity), the security of property from theft and looting, the transparency of government procurement, macroeconomic conditions or the underlying strength of institutions...”*

These are not studied by the Doing Business Report, not studied. So what this great accolade was about—and you should be very specific when you are reporting. What you have done is you have already pulverised all of this. And I notice you have transformed it into advertisements out of taxpayers' money. You already have advertisements on the television about this Doing Business Report.

So I went to see where really the strengths were. And this, of course, referred to regulations in starting a business, regulations in resolving insolvency and regulations with regard to getting credit and with regard to starting a business what the accomplishment was. I am happy for any accomplishment which would help our business people. But it just referred to, it made business easier by merging the statutory declaration of compliance into the Standard Articles of Incorporation form. That is what it is and also it made business easier by introducing online systems for employer registration and tax registration. That is what it was about.

And then it referred to getting credit. Getting credit has nothing to do with the Government. So you should take no credit for that at all. The accomplishment was:

“Trinidad and Tobago improved access to credit by adopting the Bankruptcy and Insolvency Act, which establishes clear grounds for relief from a stay of enforcement actions by secured creditors during reorganization on procedures as well as a time limit for the stay.”

And then when you go down to the resolving issues, this is where they benefited as well.

“Trinidad and Tobago made resolving insolvency easier by introducing a formal mechanism for rehabilitation, establishing a public office responsible for the general administration of insolvency proceedings...”—et cetera.

So that is what the accomplishment was about, an accomplishment nonetheless but not worthy of making an advertisement and spending taxpayers' money and wasting money on.

In fact, when you go to the report it tells a lot, you know. The devil is in the details. You go to the report and you look at starting a business and you look at our ranking and, indeed, our ranking has improved from 102 to 71. But when you look at it, we are worse off than Dominica who had a higher ranking; also Jamaica with a ranking of 20. When you looked at the procedures—and this refers directly to the Minister of Legal Affairs—while Trinidad and Tobago's ranking would

have been about 7, Dominica was 5, Dominican Republic 7, Grenada 6, Jamaica 2; much better than us.

Dealing with construction permits, where were we? In fact, they dropped from 111 to 113 and you would be surprised, the ranking with regard to Antigua is way ahead of Trinidad 30; Dominica 43; Dominican Republic 96; Grenada 40; Jamaica 26; Suriname 79, dealing with construction permits. Failed, failed, failed—with this Government. Whilst it takes 250 days to get a construction permit in Trinidad, —it is the Minister of Planning who is responsible for that—in Antigua, 106 days; Dominica, 175; Dominican Republic 184; Grenada 128; Jamaica—and I could go on, all better performing when it comes to dealing with construction permits.

Well I have to talk about getting electricity. I have to give some credit to the Member for Chaguanas East, because we ranked very high in that, 21, but I think a lot of the credit would have been owed to the PNM who is the one who really dealt with making sure that this ranking is top notch.

But again, registering a property, we are very low, 159 out of 189 countries in the world. We are ranking 159. When Antigua is 141; Dominica 149; Dominican Republic 82; Grenada 128; Jamaica 126 and I could go on and on and on.

Protecting minority investors, not a great feat by this Government, protecting minority investors. We are ranked 32 under Antigua and Barbuda. We are below them, they are 35, Jamaica 71. Mr. Speaker, paying taxes, we dropped from 110 to 113.

Trading across borders, directly relevant to this Minister here, we are ranked 76. Would you believe Dominican Republic ranked 24; Grenada 51. I could go on and compare the statistics.

Enforcing contracts, we were 180 out of 189 countries. Appalling! Appalling! Antigua and Barbuda 76, Dominica 148; Dominican Republic 73; Grenada 144, all of them registered above Trinidad, in terms of enforcing contracts; very, very, very low ranking. Mr. Speaker, this is nothing to spend taxpayers' money about and pulverize into an advertisement trying to say this is what this Government is doing for you. Not good all at.

The real McCoy, and I am repeating myself here, the real McCoy that was done as at June 2014. If you want to know if this is a good place to do business you have to go to the competitiveness report, the global competitiveness report. That ease of doing business that he spoke about, that referred to only small and medium-size business and regulatory matters, is but a subsection of this. The

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biggest issues, remained for the 2014/2015 competitive report, under this Government: corruption, crime, bureaucracy. Those are the issues.

I could go into the whole question of ethics and the first pillar institutions. Under this Government, institutions are breaking down left, right and centre. And that is why under ethics and corruption, under institutions, we ranked 115 out of 189 countries, not good enough; public trust in politicians 123 out of 189 countries; favouritism in decisions of government officials 137 out of 189 countries. You see this thing about ease of doing business? That is just a subsection under “goods, market efficiency.” That is what you should have come here to tell us about.

When I look under the pillar of “goods, market efficiency” Minister of Trade, effectiveness of antimonopoly policy, 106 out of 189. Shame! Time required to start a business, 123, shameful; agriculture and policy cost, 117, shameful; trade tariffs, 127; burden of customs procedure 127, very poor; labour market efficiency; cooperation in labour employer relations 133. Minister, come again, come again. This Parliament is about the truth. Come next time with truthful information for the public.

But nonetheless, let us put this aside. We are here to talk about an enabling piece of legislation, which is to give effect to the Partial Scope Agreement, which was signed between Trinidad and Tobago and Panama in October 2013. Minister, it has taken you more than a year to come to the Parliament. This is an agreement that was signed in 2013. It has taken you more than a year. By your standards it might be commendable, but not good enough. Right?

You talked about the origin of it. Well I want to tell you that the origin of this is not only in 2011. The negotiations may have started in 2011, but the origin is really under the last PNM administration and it is the culmination—and this is how the public wishes to see it—of efforts by both parties. And yes, you did begin negotiations in 2011, but it really began under us, where there was a particular focus and a policy to increase trade with Latin America and the agreement.

So, yes, we are supporting this agreement which is before us, which is to provide access into Panama for 230 products and, of course, to offer reduced tariffs for the 248 products that are coming out of Panama.

There are a number of products that I took note of. The Trinidad products that are going to be put out there, just for the public’s knowledge would be things like cereal flakes, peanut butter. So all our manufacturers of citrus fruits, drinking water, nationally -produced lubricating oils, all of these products would be able to enter the Panamanian market, petroleum bitumen. But, of course, we know that

there is great difficulty in producing petroleum bitumen at Petrotrin at this time. In any event and even so the diesel, the ultra-low sulphur diesel that we have been waiting on for a long time, after five years, this Government has not been able to produce a better quality diesel that we can put out on the market. So all of these products are listed here. But, of course, the Government is not ready with most of them.

Of course, what I would have expected as well Minister is that you would have shown some sort of—what I am saying is that this is all good news for reducing tariffs and promoting trade and providing for larger markets and so on and offering greater potential for our manufacturers, but I feel though that you should have given—in your dissertation and in your speaking to us here today—some sort of assurances that it will not do damage to particular sectors. Yes, it causes us to be competitive in our products and so on but I also expected to hear from you that our manufacturers—I expected to hear you giving some comfort to our manufacturers and also those in light manufacturing, in particular and the agriculture industry.

So, I would have expected you to say that you have had open consultations with the Trinidad and Tobago Manufacturers Association, the Chamber of Commerce, Mr. Sheraz Khan from the Trinidad Unified Farmers Association because they will have their concerns about competition. And really, I would have expected you to say: look, this is how you would be protected, and so on, but that did not come from you. However, maybe those consultations were never done.

We talked about the genesis, and I want to inform the public that this really would have started when we did the Fifth Summit of the Americas in 2009, and I looked at a Trinidad and Tobago Chamber of Commerce invitation to members of the business circles, the prominent business leaders in Trinidad and Tobago, and it was advertised as being a tremendous opportunity to refocus development priorities and shape partnerships towards a shared vision for the Americas, and of course, that summit had been organized to provide leaders of the business community of the Americas with an opportunity to build new networks, exchange ideas and communicate their views, and so on. So really, I would tell you that is the origin of this agreement which we are signing here today.

One of the things I am happy about, and you mentioned it, is that you have gotten the blessings of Caricom and that you have fulfilled your legal requirements under the Revised Treaty of Chaguaramas. So I am very pleased about that. But at the end of the day, I am concerned about the other agreements that are on the table, and I would speak to that shortly as well.

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But again it is opportune that I inform that it has always, always, always underpinned our trade and foreign policy that whenever we ventured outside, whenever we did any conferences, whenever we had any high-level delegations in Trinidad and Tobago, that there was always a long-term benefit which we would highlight, which would be in the interest of the people of Trinidad and Tobago and, of course, those countries as well. So we have always had a policy, particularly a regional trade policy, towards trade and economic affairs, and I am not sure that your Government has had that.

We know that your chief diplomat had enunciated her own regional trade policy, which was that Trinidad and Tobago will no longer be the region's ATM card and then of course, since then you know, we have had a precipitous decline in our trade with our regional partners and even so outside the region as well. You would be surprised.

Looking into the *Review of the Economy*, I went straight to page 63 of the *Review of the Economy 2014*, to look at some of the trade statistics. Let me highlight those.

“For period April 2013 to May 2014, Trinidad and Tobago's balance of visible trade declined by 33.0 percent to”—TT \$21 million from \$31 million—“in the previous comparative period.”—This is on page 63. “Exports declined from”—\$120 million to \$112 million—“while imports marginally expanded from”—\$88 million to \$91 million—“in the corresponding period.”

So that whilst the balance of trade has improved, when you take into account the high oil prices that your Government had been benefiting from over the last year or so, when you exclude, indeed, the trade in mineral fuel, our balance of trade with Caricom as well, you would see, is also in decline. Not a good position to be. This is in the *Review of the Economy 2014*.

I quote again from that document:

“...the balance of trade, excluding mineral fuels declined by 11.2 per cent from TT\$3.608 million to TT\$3.203 million. This decline is attributed to a 12.8 per cent fall in exports excluding mineral fuels as it more than outweighed the 18.3 per cent decline in imports excluding mineral fuels.”

Long story short, Mr. Speaker, the Minister of Finance and the Economy said then that our visible trade is in steep decline. Thirty-three per cent fall in trade is no small measure and with Caricom, when you exclude mineral fuels, it is 12.8 per cent. These are the words of the Minister of Finance and the Economy on our trade statistics. Right?



But as we all know, we have had some very unfortunate statements on that side, as I said, coming from the chief diplomat herself and even the Minister of National Security. I do not know if he is a friend or a foe. He had added insult to injury, with regard to Jamaica. So that instead of winning friends in the Caribbean, I think we have been pushing them away and we have really seen the effect, in terms of the decline in our trade with these countries, not good at all. We certainly cannot be humiliating people at the airports. We will have our policy and so on but our policies must be transparent. We cannot be humiliating people and then expecting them to buy our goods and services when they get back to their own countries. Not good at all. Those insults have not been good and I have to say that this Government, many times, has acted in a very inconsistent manner with the treaty obligations under the Revised Treaty of Chaguaramas and our arrangements with Caricom.

So, as I have said, I am pleased that our Caricom neighbours have signed on nevertheless and so on. I am concerned about the El Salvador Agreement. I thought you would bring that here today. That was signed recently. I think the negotiations were going on at the same time with the Panama negotiations. But you seem to have a preference for Panama. I know that you tend to traverse there quite a bit. When I say you, I mean Members of your Government. Perhaps, the treaty that we should have seen was an extradition treaty, perhaps, so that Panama would not become a safe haven for wrongdoers. We do not want people running to Panama after they lose the general election. So the extradition treaty we certainly would have liked to see.

But, yes, the El Salvador Agreement which was signed, I believe it should have been brought here as well. I am concerned about the trade agreement with Canada, which has stalled as well. Whilst I do not blame the Minister, I believe he did admit to some problems with the Caricom countries. But I expect that Trinidad and Tobago would take a leading role, but I do not think this is so because I looked at the *Review of the Economy* and the commentary by the Minister of Finance and the Economy again, and this is how it reads:

“In the absence of a successful conclusion of the CARICOM-Canada Trade and Development Agreement before 1 August 2014, Trinidad and Tobago has signalled that it may pursue a Bilateral Free Trade Agreement or some other arrangement with Canada to secure its trading interests in that market.”

Their words in this document, the *Review of the Economy 2014*, back-peddling on Caricom once again, back-peddling on Caricom. I want the Minister to speak to that when he winds up.

As I said you spoke a lot about nothingness and so on. The irony, Mr. Speaker, this is the Government which perhaps is the most travelled Government that we have ever had in this country. Our honourable Prime Minister has more often than not accompanied these people to Brazil, India and so on, on the basis that they are seeking trade deals. At the end of the day—he spoke about some things that may come that might be under the table but cannot disclose now—we really have not seen any new agreements and there have been no significant investments arising from—would you believe the largest contingent’s visit to India. Nothing has come out from that. You know the Indians in India love to speak about the fact that, and boast that nothing was created in India and I am talking about the zero number.

**Miss Mc Donald:** He said they went to 200 meetings.

**Mrs. P. Gopee-Scoon:** That is right, 200. Many of them attended late, very late. The Indians like to boast about this zero factor and they are very proud, in terms of their contribution to the field of mathematics, where the number zero did not exist in the Roman number system. So they are very proud of the fact that it was invented by them and they have contributed to the field of mathematics. But I did not expect that a whole delegation would go to India and come back with zero, not at all, nothing, absolutely nothing. So the trade Minister, you are an accountant by training and here you are, once again, telling us about the number of ways to count zero. At the end of the day, nothing coming out of these meetings. [*Desk thumping*] Right?

Another serious issue on why we have not accomplished much, in terms of trade, and I spoke about it in the budget debate, is because our embassies are lacking critical resources at the ambassadorial level. For instance, the UK High Commissioner, now because you only recently sent out someone there, a member from the Ministry of Foreign Affairs, not a political appointee, only recently. But that post had been vacant for more than a year and, of course, we are also without a High Commissioner in Canada as well and literally they are playing politics with our trade and economic policy, very disappointed.

The permanent representative to the United Nations, he came home more than a year ago. To do what? To run an election campaign. Left the seriousness of the UN and came back here to run an election campaign. Now his departure was absolutely no loss at all because he never really made any impact there. But at the same time, he left his position at a critical time.

Do you remember that big faux pas we made—and I am not going to go into any detail—where we co-sponsored that UN resolution? Big faux pas in the UN. I

will remind you that China is a member of the UN Security Council and they did not co-sign that resolution but Trinidad and Tobago did. Big faux pas by them. We are not going to go into any details on it.

**3.15 p.m.**

Where is your permanent representative to the UN? He was here campaigning for his election, right? Everything under this Government boils down to elections, Mr. Speaker. That is what it is. You send your campaign manager to have a little fun, and when you are ready for him, you call him back to do business without any regard for the implications of our UN agenda. Of course, the High Commissioner to the UK, he came back here. He was the caretaker for St. Joseph, I think he was, and he was preparing to fight the election there until their polls told them that there was absolutely no hope for him there, and that he would have been beaten like a “Good Friday Bobolee”, by our Member for St. Joseph.

So now they have sent him as a lamb to be politically slaughtered by the Member for Diego Martin North/East. Their ambassadors have really been out there enjoying holidays and their little perks and so on, they are friends of the Government, but really, when it comes to—it shows that when it comes to the national interest, and our trading agreements, they put their political interest before the national interest, Mr. Speaker, and that cannot be good at all, at all, at all.

So again, I am concerned about what is happening in the region. I am disappointed that we have not taken a leadership role in the region when it comes to exports and trade and so on... I looked at the article by Suzanne Sheppard in the *Newsday* recently, in November:

The region’s export performance had been graded very badly and spoke about - this is Pamela Coke-Hamilton speaking about Caribbean countries struggling to recover and return to growth after the global economic recession, and the pivotal role of the private sector, et cetera, et cetera.

“Caribbean countries are still struggling to recover and return to growth after the global economic recession and the pivotal role of the private sector...”

Sadly, Mr. Speaker, Trinidad and Tobago, which really should have taken a leadership role, has not done so. Mrs. Coke-Hamilton spoke about:

“...the worst performing area was for intra-regional logistics and shipping, which...”

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Point Fortin has expired. Would you be interested in an extension?

**Mrs. P. Gopee-Scoon:** Yes, thank you, Mr. Speaker.

**Mr. Speaker:** Hon. Members, the question is that the speaking time of the hon. Member for Point Fortin be extended by 15 minutes.

*Question put and agreed to.*

**Mrs. P. Gopee-Scoon:** [*Desk thumping*] Thank you very much, Mr. Speaker, and thank you to my colleagues. I was just saying that:

“... the worst performing area was for intra-regional logistics and shipping, which received a failing grade of F...”

I want to ask the question to the Government: Where is the cargo passenger vessel that they took an interest in, in providing for Caribbean intra-regional transport goods and persons? What is the latest with that? We have heard nothing about that from them. Their interest in the region is not a good one, and they have compromised the leadership role which clearly the PNM had established.

Mr. Speaker, the Fair Trading Commission, I take the opportunity to highlight that as well. Very disappointed in the fact that after four and a half years, yes, I know you have recently appointed a Fair Trading Commissioner, but really and truly this is not up and running after all of this time. Other countries have: Barbados, Jamaica, I went on to their websites. We really do need to have this operationalized.

The thing is unfair competition may arise through the dumping of goods into the local market. Or there may be unfair competitive practices conducted by dominant business enterprises. So that there must be prohibitions on unfair competition. This has taken far, far too long. As I said, Guyana, Barbados, Jamaica they are ahead of us.

I looked at the website, the Fair Trading Commission in Jamaica, there is a mission statement: “to provide for the maintenance and encouragement of competition in the conduct of trade, business and in the supply of services in Jamaica, with a view to providing consumers with competitive prices and product choices”; all in the interest of the public, Mr. Speaker.

I looked at some of the areas that they have highlighted: competition protection, consumer protection. There were topics: “Understanding the change in the price of gasoline”, “Competing to grow”. And, of course, when I looked at the Barbados website, there was a telecommunication customer survey on—within the commission in Barbados, there was a division for consumer protection, a division for utility regulation and so on. So it says to me that the consumers mean something to the Government of Barbados, but not here in Trinidad and Tobago.

Their Fair Trading Commission has failed to get off the ground in the four and a half years.

I looked at the area of innovation, which is the key to economic growth. I do not want to go to that competitiveness report again, but the Government has failed in the area of innovation as well. Really and truly, Mr. Speaker, this is all about the private sector. When you are talking trade and business, it is all about the private sector. I know there is no administration that understands the private sector more than the PNM does, right? [*Desk thumping*] There has been years of sound economic policy, and there has been an understanding of the marriage between the public and the private sectors.

We are here in the Caribbean, the largest and the most successful private sector. We groove the private sector to prosperity, this is the PNM administration. We made the right decisions and have consistently said in this Parliament that whether you had a roti shop in Rio Claro, or you had a light manufacturing industry in the Diamond Vale Industrial Estate, or whether you were exporting chocolates to the rest of the world, Mr. Speaker, we listened. There was success under the PNM because of good trade and economic policy by our successive administrations.

So today, there are large and substantial contributions to the GDP and, of course, substantial jobs as well coming from the manufacturing sector, and that is all because of PNM policy and an excellent relationship between the Government under the PNM and the private sector as well. Clear and deliberate policy, outlined along the way our expansive development strategy, creating an environment for every member of Trinidad and Tobago to prosper, and always creating a platform for national dialogue on development alternatives. There has been significant human development to help us along the way in this regard.

Mr. Speaker, we have grown from a sugar-based economy to a GDP of \$175 billion, the highest in the Caribbean. We were the single largest supplier of ammonia to the United States, and that was under a PNM administration. We supplied liquefied natural gas to 70 per cent of the US market, and that is on account of a Trinidad and Tobago of the PNM administration. We have known economic growth that averaged more than 9 per cent per annum, Mr. Speaker, for years and years and years. All of the right fiscal policies of the right incentives, the PNM did it, Mr. Speaker.

Again, I saw this article in the newspaper:

“Caribbean private sector needs help. Study finds no trust between public and private sectors.”

And it spoke to the Caribbean needing to strengthen business ties within the region in addition to developing private and public sector partnerships. Well, we are only lately, now that we are approaching an election, hearing about the first public/private sector arrangement in the Ministry of Health. We are now hearing about that, but really this is again, when you see a headline like that, no trust between public and private sectors, it really is a call to Trinidad, as the region's largest trading partner, to support the public and private sector engagement and marriage and initiative, right?

Who is responsible for the economic growth, Mr. Speaker, in the country? It is the private sector. Is it the private sector? Is it the Government? Or is it both? The fact is, it is both, and it takes a nurturing and a harmonious relationship of facilitation, equitable and fair facilitation where all contributing activities are supposed to flourish. The Government is recognized as the enabling leader, but must be fairly so. It is the Government that must create opportunities which the business community can build on.

The private sector would be largely responsible for its own growth and development but, nevertheless, it is motivated by the Government, by incentives and so on. The Government retains the major responsibility for facilitating growth by establishing a vision, strategies, policies and a regulatory framework for national development, with the private sector contributing to policy direction.

This Government has allowed the setting-up of the economic development board, but that was only just recently within the last year or so. And as I said, it is on the verge of an election, the dawn of an election which they are going to lose, Mr. Speaker.

So that I looked at the Growth Report 2010 on the Singapore experience and it says that the two parties are responsible, but the Government particularly in complex times requires to satisfy new needs and expectation.

This Government has failed to supply, failed to bring into effect, all of these expectations by the private sector. Where are your new projects? None. What about your export diversification? Just a lot of talk and air. We have not got that. As I said, we are still waiting on this diesel, this better-quality diesel to satisfy the international market? Cannot get it yet after five years. Where really are your diversification efforts? You really failed to yield anything at all. You fail to produce any results.

So a sound warning came from the IMF when they last visited: "Trinidad and Tobago facing major challenge the International Monetary Fund (IMF) says recent

changes in the energy markets represent a major economic challenge for T&T whose exports are heavily linked to these markets.”

Mr. Speaker, all of these efforts described by this Minister here today, really have come to naught, and here we are relying on these energy-based exports, and we know with the reduced energy prices, we know what to expect next year, a fall, definitely a fall in Trinidad and Tobago’s income.

Mr. Speaker, I cannot speak—they are going to give me a lot of flak about Edmund Dillon, but that is all right. I am here to stay along with the PNM, maybe in another form, but I can tell you something—*[Interruption]* Welcome, Member for Siparia, I want to ask you, Minister, where is the Point Fortin—I am here to stay in the PNM. I am happy to serve in any which way possible. I do not know why you are worried, but anyway, hon. Minister of Trade, Industry, Investment and Communications, the Point Fortin e TecK Park. What has become of it? Five years and we are still do not have an E TecK Park. The last administration had done all of the infrastructural work. You are not interested in the small and medium-sized businesses in the Point Fortin area.

You are building a highway there spending \$7.5 billion. What is the point of building a highway and you are not preparing the business people, and you are not preparing secondary school students for a new economy that is supposed to develop in Point Fortin? Absolutely—I want the highway, trust me I do, but where is the Point Fortin e TecK Park? *[Desk thumping]*

So again, in closing, Mr. Speaker, I am sure I have very little time left. I am pleased to support this Partial Scope Agreement with Panama. Where is El Salvador? Where is Canada/Caricom agreement as well I ask you? As I said, I remain a little bit concerned about this close association with Panama. Why Panama was pulled out of the bag and brought here today? I really do feel we should have had today as well, the extradition treaty with Panama. I think we need that in this country. There will be a lot of people trying to escape after the election but, sadly, Mr. Speaker, they are going to have to stay here and face the consequences.

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

**The Minister of Trade, Industry, Investment and Communications (Sen. The Hon. Vasant Bharath):** Thank you very much, Mr. Speaker. The hon. Member started her contribution by a referral to Sesame Street, and spoke, of course, of a character in Sesame Street opening his or her hand, I am not sure what gender, and had nothing to show essentially. Hot air I think she was referring to.

**3.30 p.m.**

But, Mr. Speaker, you know, half the people in this world are composed of those who have something to say and cannot say it and the other half generally have nothing to say and they continue to say it. I am not quite sure what variety of beans they were serving at lunch today in the lunchroom upstairs, but certainly a lot of, in fact most of what the Member stated really was of very little consequence. It appeared that she stood up to speak essentially to try a last-minute- ditch effort to persuade the screening committee maybe, that possibly they may position her in another constituency closer to where she lives apparently because, as she said, she does not live in Point Fortin, so she is hopefully attempting to persuade the screening committee to place her closer—maybe in Diego Martin North/East possibly or Diego Martin West, closer to where she lives.

Mr. Speaker, if I could attempt to pick some sense of most of the nonsense, I will attempt—I will give it my best shot—but let me address some of the points that the hon. Member made. The first is starting a business in which she spoke elaborately about the fact that the ease of doing business indicator is not important or of little consequence. Let me read from the World Bank Report what the World Bank actually said with regard to Trinidad and Tobago. It said:

“Trinidad and Tobago is among the top ten improvers worldwide (the only economy from Latin America and the Caribbean)”—to do so.

Why would the World Bank single Trinidad and Tobago out as one of the top 10 improvers worldwide and in brackets say, “the only economy from Latin America and the Caribbean”, if that were not an important indicator? Clearly, it is an important indicator and clearly the hon. Member does not understand how investments take place.

When an investor is looking at a potential market to invest in, he or she does not necessarily jump on a plane and physically arrive in that country and starts to walk around and check it out. What that person would do is generally do what is called desk research. They would go on to the Internet and they would look at certain indicators that would highlight what that investor is looking at—the facilities, the enabling environment, the tax regime, the ease of doing business. All of those would create a filter for the potential investor to make a determination as to which of the markets he or she would be interested in investing in and then, after doing the desk research, that person, having narrowed the research down, would embark on the journey of the investment proposal.



Clearly, the Member does not understand the investment process, but let me continue. The World Bank Report goes on to say:

“Trinidad and Tobago’s reforms span across the highest number of indicators in the Caribbean.”

So it shows that Trinidad and Tobago achieved a greater number of improving factors in all of the indicators of all Caribbean countries. Mr. Speaker, it is very easy for the Member or anyone on the other side to get up and say, you know, well, we are 252nd in the world as far as construction permits are concerned, but what she did not say is that we started off at 297th in 2010. [*Desk thumping*] What she did not say was, as far as ease of doing business, let me tell you what the World Bank said about starting a business. It says that:

“Trinidad and Tobago made starting a business easier by introducing online systems for employer and tax registration— starting a business now takes 11.5 days for an entrepreneur in Trinidad and Tobago— on par with international best practice...” [*Desk thumping*]

What the hon. Member did not say was that in 2010, it took 45 days to start a business in Trinidad and Tobago when they demitted office—45 days, okay? And we ranked 71st in the world in 2010 in terms of starting a business. Today we are in the top 10. [*Desk thumping*]

So you know, we have got to assess and understand where we started, where we have come from. In every single indicator, including all of the areas regarding the competitive index, Trinidad and Tobago today, four years later, is in a far better place than we were in 2010.

You know, Mr. Speaker, the hon. Member mentioned the fact about the bankruptcy legislation and she wallowed in the fact and lamented the fact that it took us so long to proclaim the bankruptcy legislation. What the hon. Member did not tell you was that the Bankruptcy Act was passed in 2006, under them, and from 2006 they did nothing. It sat there on the books and nothing happened. It took this Government to proclaim the bankruptcy legislation. [*Desk thumping*]

You know, what the bankruptcy legislation allows us to do—and that is the reason why we have improved in the ease of doing business as a result—is that it allows businesses to be able to reorganize themselves rather than going to either voluntary or forced liquidation. In other words, if they owe the banks money, they can all reorganize themselves and stay in business rather than the bank just moving in and them taking over. And that is the reason why that has resulted in any increase in the rankings as far as doing business.

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Again, related to that fact, the Fair Trading Commission. She lamented the Fair Trading Commission again, which this Government has proclaimed and which this Government has started putting the officers and offices in place, sitting on our statute books since 2007, and they did nothing. They did nothing from 2007 until 2010 and it is left to this Government to now proclaim the Fair Trading Commission, to set up the offices, to appoint the commissioners, which we have started doing. As a matter of fact, I met with the Fair Trading Commission yesterday to ensure that they are properly staffed for the next 12 months. So, with regard to the competition policy that the Member spoke about, the fact is that we now have a Fair Trading Commission in place that will now be in a position to look at anti-competitive practices.

With regard to this particular agreement, the Member suggested that she was unaware of any consultation. Well, she must know, by virtue of how this Government has operated in the last four years, we consult on everything, every single thing. It has been the ethos and the philosophy of this Government from day one that we have embarked on extensive consultation.

I remember very clearly, when I was Minister of Agriculture, we embarked on extensive consultation throughout the agricultural sector to develop the agricultural policy for 2012—2015 that is now bearing the fruit that we are seeing in Trinidad and Tobago with more food being produced, but it was as a result of the extensive consultation.

Constitutional reform,—Mr. Ramadhar here embarked on significant public consultation across Trinidad and Tobago with regard to determining what the population wanted in that document for constitutional reform. So, in every respect, this Government has as its core philosophy and principle, the issue of consulting extensively with the population.

Let me for clarification let you know that all of the domestic sectors were actually consulted. The Ministry of Food Production was a key part of that delegation consulted and they consulted with the farmers and the livestock producers in Trinidad and Tobago. And you called the name Mr. Sheraz Mohammed, and he was part of this consultation. In fact, the private sector and the former Minister Assam is here today with us and he has assured me that the private sector was part of the negotiating team that concluded these negotiations during every single round. And you should know that.

The hon. Member, if she did her work or if she did her work when she was a Minister, she would know that the private sector is always part of these

negotiations. Maybe not in the PNM days, I am sorry. I withdraw that. Maybe not in the days of the PNM.

The agreement, of course, also does not allow participation in sensitive sectors, Mr. Speaker. Those are actually protected and it is only items that are not produced in Trinidad and Tobago such as beef sirloin, minced beef, pig trotters, selected fish such as dog fish and other sharks, Pacific salmon, mackerel fish, cheese, fresh flowers, roses, carnations, juices for infants, only those items are the ones that have been included.

With regard to the status of the El Salvador Agreement, negotiations commenced in October 2013 and they are close to finalization and that agreement has not yet been signed.

I want to just briefly touch on the issue of trade with Caricom. The hon. Member is being very disingenuous when she suggests that trade between Trinidad and the Caricom region has fallen and she was alluding to the fact that it has fallen for a specific reason and she talked about trade policy.

The fact is everybody knows very clearly that as a direct result of the financial crisis of 2008 and the fact that many of the European countries were tottering on the brink of bankruptcy, what actually happened was that the first thing that came off the shopping list for the Europeans and the Americas and those in the First World countries was travelling abroad to exotic destinations.

The tourism dollar was lopped off their shopping list and, as a direct result, many of our Caricom neighbours suffered. Those who depended entirely or predominantly on tourism, their trade was cut off and their economy suffered and as a direct result the goods and services that they purchased from Trinidad and Tobago were stymied because clearly if you do not have the same number of people coming into your country, if you do not have the same footfall coming into your country as a direct result of tourism, you buy less food, you buy less services, a whole plethora of goods and services are no longer required. And that is what actually took place.

As a direct result of that, Trinidadian goods and services to those markets declined, so we are now rebuilding those markets. In many instances, we have had to support the economies in those markets simply because we understand very clearly the trading relationship between those markets and Trinidad and Tobago and how important they were to the survival of our own manufacturers here in Trinidad and Tobago.

Mr. Speaker, I also want to talk about the Canada/Caricom arrangement where the hon. Member spoke of the fact that she saw somewhere it was stated that we

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may consider a bilateral agreement. Yes. Trinidad is not leaving Caricom behind. The fact is that Caricom has dragged their feet on this issue. The Caricom/Canada Agreement expired in December 2013 and the Canadians have been extremely flexible in the extensions they have allowed us, but that flexibility ran out at the end of June 2014.

What it does is, as a result of the non-signing of that agreement, it puts Trinidadian manufacturers at a significant disadvantage if and when Canada decides that they are going to impose tariffs on Caricom products. In other words, simply because certain Caricom countries believe that they are at a different level of development and they feel threatened or insecure by the allowance of a reciprocal arrangement between Caricom and Canada, they believe that their products coming into Trinidad may suffer as a direct result, they have stuttered and essentially—I do not want to say stymied—but the effect of it has been that the agreement has not been signed because of the tardiness in responding to many of the questions and queries raised at the Caricom Secretariat level by many of the Caricom countries.

And it is as a result of that, that we could not imperil Trinidadian manufacturers, so that the time and money that they have spent to develop the Canadian market over the last 15 or 20 years would be lost in one fell swoop by the introduction of tariffs and duties at the border of Canada.

**3.45 p.m.**

And so, therefore, we have signalled both at heads level, through the hon. Prime Minister and myself—at my level as the Minister of Trade, Industry, Investment and Communications—that if within the foreseeable future we are not in a position between Caricom and Canada to sign off on this agreement, Trinidad and Tobago would be happy to look at the negotiation of a bilateral agreement with Canada.

Now, clearly, as you would all appreciate, based on the Chaguaramas Treaty, we are going to have to sign off from Caricom on this matter but, at the end of the day, I do not believe it would be responsible of us as a Government and as a country to put at risk our manufacturers who work so hard to be able to sell their products to the Canadian market. It is not cast in stone at the moment but, at the end of the day, we have to look out for those manufacturers who have, as I said, expended time and money and effort in developing those markets.

With regard to the diversification efforts, I think I was very clear when I spoke that revenues from the non-energy sector has increased by \$13 billion; \$13

billion, Mr. Speaker. Since 2010, the financial services sector alone now comprises 15 per cent of GDP and the manufacturing sector 9 per cent. [*Desk thumping*] We intend through further diversification efforts to increase economic activity, as I said, in financial services, in ICT—and ICT because we believe that the only way we could create and develop entrepreneurial spirit across the country, not just in one area of the country, is to be able to roll out the facilities of Internet access to the remotest of places to ensure that those children who are so fortunate now to have gotten laptops from the Ministry of Education—90,000 as at today, Mr. Speaker, 90,000 children [*Desk thumping*]—are not only allowed to use it or would be able to use it in the school, but would be able to use it at home and maybe—[*Crosstalk*]—well, they will be able to use it at home, because there is an Internet backbone running across the country.

But, very importantly, entrepreneurs who wish to stay at home and work and start businesses can do so in Toco, in Matelot, in Tobago, in the remotest most far-flung places of this country. And also, based on Government's services now being put on TTBizLink and on other services, through the Ministry of Legal Affairs, you will be able to apply for your passport, your driving licence and many other services—birth certificates—on the Internet. So ICT is very important.

Of course, tourism, we have spoken about the creative industry sector, agro-processing and the maritime sector. I would not go into detail about those because I have spoken about them. So, the diversification effort is proceeding full speed ahead and we are already seeing the fruits of those.

The e Teck Park: I want to assure the hon. Member that Cabinet has taken a decision that the e Teck Park will continue in conjunction with the Point Fortin Hospital in the same area. We are now in the process of reallocating the lands within that park to determine what section of it goes to the hospital and what part is allocated to the park. So that is not off the Government's radar. That part of the country is very important for this Government to ensure, again, that economic activity is spread as per our philosophy, across the country.

Mr. Speaker, there is not much more that I can say with regard to the comments that the hon. Member has said, other than to say the Member seems to be very familiar with the Panamanian market. Clearly, it would be because several of her predecessors—Mr. Prevatt, I think and Mr. Awong—fled to those parts, and may have sent back missives or invitations maybe.

**Mrs. Gopee-Scoon:** Standing Order 48(4), I am not familiar with the Panamanian market in that regard, please.

**Sen. The Hon. V. Bharath:** But you spoke so extensively, Member, so extensively. You painted a very nice picture in everyone's minds—the terrain and the geography—[*Crosstalk*]—but as David Rudder so eloquently put it in song, as you will remember, Mr. Speaker, about Members of that side fleeing to Panama with sack loads of many things after 1986 and maybe many of them may be seeking refuge there after the next election as well to join their former colleagues. So, anyway, those are the comments that I have to make with regard to what the hon. Member would have said.

But let me just say in winding up, there has been no other Government in the history of this country that has laid a foundation for economic policy and the expansion of business like the Kamla Persad-Bissessar administration over the last four years. [*Desk thumping*]

We have strengthened legislation; we have strengthened our institutions that are consumer and customer facing; we have created new markets as we are doing here today. We are the first Government, of course, as everyone would know, after 50 years to have instituted and implemented and brought to the House the procurement legislation [*Desk thumping*] that for 50 years the PNM ducked away from.

In fact, as all would know that even during the consultations—again which we had extensive consultation on—they walked out of those meetings as well not wanting to participate in that legislation, in the development of that legislation.

Nevertheless, we are where we are. Our record over the last four and a half years is clear and apparent for the entire country to see, based on the work we have done. In every single facet, in every single Ministry, there has been more work done [*Desk thumping*] in every Ministry in the last four years than have been done under the 40 years under the PNM. [*Desk thumping*] So, Mr. Speaker—[*Interruption*]

**Mrs. Persad-Bissessar SC:** Mr. Bharath, please acknowledge Mr. Assam who was very instrumental.

**Sen. The Hon. V. Bharath:** I did, Prime Minister. I did indeed.

So, in conclusion, again, I wish to take the opportunity to congratulate all of those at the Ministry of Trade, Industry, Investment and Communications, all staff members who were instrumental in bringing this piece of legislation to the Parliament. I want to also thank profusely and from the bottom of my heart, Ambassador Assam, who is here with us today who led those delegations [*Desk*

*thumping*] very astutely and, of course, his experience formerly as a Government Minister and Minister of Trade would have assisted significantly.

So, Mr. Speaker, with those few words, I beg to move. I thank you very much.  
[*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*House in committee.*

*Clauses 1 to 7 ordered to stand part of the Bill.*

*Schedule ordered to stand part of the Bill.*

*Preamble approved.*

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

*House resumed.*

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

**4.00 p.m.**

**Mr. Speaker:** The hon. Minister of National Diversity and Social Integration.  
[*Desk thumping*]

**NATIONAL TRUST OF TRINIDAD AND TOBAGO  
(AMDT.) BILL, 2015**

*Order for second reading read.*

**The Minister of National Diversity and Social Integration (Hon. Rodger Samuel):** Mr. Speaker, I beg to move:

That a Bill to amend the National Trust of Trinidad and Tobago Act, Chap. 40:53, be now read a second time.

Mr. Speaker, some may find it very useless when we talk about heritage and the protection of heritage in Trinidad and Tobago. As a matter of fact, within recent times the nation became quite excited when one of the sites that existed in Trinidad and Tobago for many, many years had an altercation because it was sold to a new owner and, subsequent to that, there was partial demolition of the site. The entire nation got excited and the talk shows and the print media were all involved as it grew and it brought tremendous attention and awareness to the society as to how valuable things are, but, in some instances, so much of our citizens were stating that it was an old building and we should let it go, anyhow.

I am happy to say, Mr. Speaker, that since then, after much discussions with the new owner, as well as the Ministry of Planning and Sustainable Development, we have brought this situation to the point where it is now being collaborated with the presentation of designs to the Ministry of Planning and Sustainable Development through Town and Country Planning. So, I am really, really glad to talk about that because of how it fits in to every other aspect of the preservation of heritage in Trinidad and Tobago.

Mr. Speaker, in so many instances a lot of people when they hear about heritage oftentimes just think about culture and forget that heritage has its broad scope that fits into so many aspects of existence. As a matter of fact, it is said that cultural heritage is a group of resources inherited from the past which people identify with independently of ownership as a reflection and expression of their constantly evolving values, their constantly evolving beliefs, knowledge and traditions.

It also includes all aspects of the environment resulting from the interaction between people and places through time. But, Mr. Speaker, in some instances the analysis of the value of cultural heritage, many complement this definition with a notion of a heritage sector which is constituted by specialized activities involving heritage and related to other social or economic sectors.

So when we talk about cultural heritage as a sector of activities or on its own, we talk about something which provides jobs, we talk about something which generates growth or has direct impact mainly economic, but which can also include other dimensions of development as well, Mr. Speaker.

Then we talk about the effects of cultural heritage or heritage upon our society as we deal with agriculture and regional development, we deal with the environment, science, education, tourism, technology, innovation, a social cohesion, intercultural dialogue, and all of those things, things of that kind.

Mr. Speaker, when we talk about heritage, as a nation this seems to have been, in many instances, though it has been part of the discussions, part of the remit of various Ministries, we have found that the attention that is needed to now bring it to where it should be, has not been put together and, at this time, our purpose is to realign and redevelop how we move and how we protect, and how we deal with our national heritage or the heritage of Trinidad and Tobago.

The role of heritage in Trinidad and Tobago, Mr. Speaker, is very important, for many, many people underline differences and different aspects of heritage, but



in recent years the instrumental value of heritage has taken note and has taken credence in our society, and into the societies of the world, and they now recognize the importance of heritage as part of sustainable development, as part of national diversification, and as part of the history and culture preservation of a society.

Mr Speaker, it is important for us to realize that one writer said that heritage anchors people to their roots, it builds self-esteem and restores dignity. Identity matters to all vibrant cities and all people. It is with that in mind, Mr. Speaker, that we must realign our objectives in order to effectively protect what we have; those things that were handed down to us from the past, things that are valuable assets to any society, those things that we have taken for granted for many, many years.

As a matter of fact, Mr. Speaker, during the boom and bust cycles of the periods of oil wealth we have not really taken time to preserve and protect aspects of our heritage and, as a matter of fact, so many of them have been destroyed thus far, but those that remain, I must say, we must move swiftly to protect and preserve those that remain.

Some of those assets, Mr. Speaker, are a gold mine to any society, and it is important for us to understand that development has to be charged with a holistic vision and that our value systems have to be re-evaluated and articulated in ways which allow for us to see that heritage and its preservation is a holistic gold mine that we have sat on for many, many years and, in some instances, we have ignored.

This Government realized that though in the past the idea of heritage protection was placed on the back-burner. This inaction led to the dilemma which added to its demise, and with the various aspects of heritage, being scattered across various Ministries, it resulted in a sad state which is evident today.

There is an urgent need, Mr. Speaker, to coordinate all aspects of heritage which had its initial birth in the creation of this new Ministry in order for us to really, really begin to look at heritage: built heritage, natural heritage, archaeological heritage, underwater heritage, all aspects of heritage, so that the part that heritage development can play in sustainable development can really be realized.

Past attitudes towards the nation's heritage, Mr. Speaker, have taken us to this place where not much was done to effectively lay the foundation or provide a

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vision for the way forward, and swift and serious action must be taken, henceforth, if we are to salvage our heritage, if we are to salvage heritage pieces, or salvage ourselves.

One writer said, Mr. Speaker, history leads the wise while it drags the fool. Another said, if we could first know where we are and whether we are attending we could better judge what to do and how to do it. So, the Ministry of National Diversity and Social Integration now has the responsibility, Mr. Speaker, to develop the approach to harnessing the various areas of our heritage so as to afford connectivity among them through the seamless framing of all areas of its remit. As a matter of fact, Mr. Speaker, through the alignment of the legislation which regulates and governs these several areas; areas such as the National Museum, the National Archives, the National Trust of Trinidad and Tobago.

As we began to revisit the Acts and the Bills and the laws that regulated these entities, we recognized that there was need for aspects and realignment in how the language was phrased in order to bring it all together and that they all mean and say, in all instances, the same thing. One example, Mr. Speaker, in 2000 the National Museum and Art Gallery of Trinidad and Tobago Act was proclaimed and, though never fully enacted, added to that we found ourselves after many, many years, Mr. Speaker, now having to do some of the things that should have been done before. And this is to say there had been such flaws in some instances as to how we looked at heritage and how we dealt with heritage, and the time has come for us to now pull all of this together to ensure that it makes sense today and that we now chart the way forward for the future.

Mr. Speaker, it is with that in mind, after 14 years, we installed the new Museum Board in the Act which was proclaimed in 2000. We have now done that, and the development of a museum sector policy, which is set out to go for stakeholder consultation, is now in place.

Mr. Speaker, we never thought, as in many other instances, that development in sectors would have really taken place, that the museum sector would have developed in such a way that now we have some over 25 museums in Trinidad and Tobago, but there is nothing that really pulls it all together and harnesses all these museums together.

Not only that, but the Act that governs even the National Museum was limited in its capacity to only deal with the National Museum and Art Gallery that exists on Frederick Street in Port of Spain. Likewise, a simple amendment would have to take place with regard to such Acts in order to broaden the scope of its remit -

the National Museum and Art Gallery's remit - to broaden the scope because the sector itself is broadening on a daily basis. There is a museum at the Central Bank, the Police Museum; there is the museum at Chaguaramas, and several museums have popped up. There is a museum being developed by the Attorney General's Office, there are museums all over, and now there needs to be some kind of guidance and standardizations for all of these museums because they are part of our heritage.

This country has never in its existence developed a national heritage policy, and I say that, Mr. Speaker, because as a growing nation it is something that is necessary for us to do today. To this end, the Ministry, within the framework of its remit, understanding the value and the role that such a policy will play in national, in economic, in sustainable development, has embarked upon drafting same - a national heritage policy - which, as I speak today, Mr. Speaker, is ready to go out for public consultations.

#### **4.15 p.m.**

Mr. Speaker, as we attempt to realign or pull all connected pieces together, it is now therefore necessary to amend various existing Acts and/or legislation, one of which is the National Trust Act of Trinidad and Tobago, Chap. 40:33, 11 of 1991, amended by 31 of 1999. For alignment within the Ministry's remit, all definitions must be consistent and, as such, "Minister" in the preliminary section of the National Trust of Trinidad and Tobago Act, must be made to have the same meaning as it does in the other Acts, such as the National Museum and Art Galleries Act of Trinidad and Tobago, where "Minister" there means the Minister to whom responsibility for heritage preservation is assigned.

During the first 13 years of its existence, 1999—2013, the National Trust of Trinidad and Tobago unfortunately had only listed 13 sites. But I am glad to say that though that happened for those 13 years, and if we had continued going along that road—13 in 13 years—then the 429 sites of interest may take another 429 years.

I am here to say that over the last couple of months, we have been able to do dossiers for 26 more sites, 16 of which have already been completed and 10 others are there to follow quickly. It is our intention shortly to ensure that another 50 sites are put on the radar, so that the process of standardizing and the process of ensuring that our heritage sites are listed and protected will happen in the shortest time possible. It is the Ministry of National Diversity and Social Integration's intention that by mid-year some 50 sites will be listed.

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In the not-too-distant future, we too intend to align other institutions that are aligned to heritage: the National Archives of Trinidad and Tobago, whose remit is a serious remit because they are the repository for permanent records and archives of Government, as well as historical records of national significance. So it is important to take all of these entities and to begin to realign them so that the impact they have on our heritage, and heritage development and heritage preservation, will be a sound one, and that we will surely be heading in the right direction.

Mr. Speaker, the Ministry of National Diversity and Social Integration has vigorously embarked upon the development of the national heritage sectors, working in tandem with other Ministries that are partially, and in some instances, barely involved with heritage. For instance, we have been involved with the Citizens for Conservation, who has played an integral role in protecting and lobbying for the protection of heritage sites in Trinidad and Tobago.

We have been working with the Ministry of Labour, Small and Micro Enterprise Development, in the development of what will be known and what will be proudly known as a “Labour’s Heroes Park” that has been worked upon in tandem with the Ministry of Labour, Small and Micro Enterprise Development, for that development. We have been working with the Ministry of Tourism to develop what we call “community tourism”, for the development of community heritage tourism, as well as the development of the Sugar Heritage Village and a Sugar Heritage Museum.

Thank God for some of our seniors like Prof. Brinsley Samaroo who, when he realized that the records of the sugar industry were being thrown all over the place, that he had it within his consciousness to help preserve some of these records, so that the records of that industry would not have been lost. It is those records that need to be protected, so that years from now people can go back and retrace the steps of their ancestors as they worked in that industry. So we want to thank people like Prof. Brinsley Samaroo and, I think, UTT, for the work they have done in helping to protect some of those records that were being destroyed at the point in time.

Mr. Speaker, we have also been working with the Ministry of Arts and Multiculturalism and the Minister of Arts and Multiculturalism, as we begin to discuss the ideas of developing what we call the “Carnival Museum”. In Trinidad and Tobago, we have not been able so far to now deal with the fact that Carnival plays an integral aspect and role in the heritage development of Trinidad and Tobago. The connection with the past and the past designers, and the past mas

players, and those people who were creative of the past, there seems to be no connectivity. There is no place to walk through for us to now begin to connect with those tremendous designs and layouts of the past, and the creativities of the past.

We have been in discussion for the development of such kind of museum, with the Ministry of Arts and Multiculturalism. As well, for a land that is known as the “land of pan”—we created the pan—yet in Trinidad and Tobago we cannot go someplace just to see how this evolution took place from something that was created out of metal and oil drums and biscuit tins, and all these kinds of utensils. There is nothing to go to see and to walk through the history that will show the heritage of Trinidad and Tobago and how creative we as a people are and continue to be. Those discussions are ongoing with the Ministry of Arts and Multiculturalism, as we attempt to develop this sector across the board.

From an educational standpoint, the Ministry continues to work with the Ministry of Tertiary Education and Skills Training together with the premier universities, to look at the idea of history, which plays an integral role in the development of our citizens, which lays a foundation as to who we are, how we are, where we go from here. If we are unable to embrace our history, we can have the fortitude to revisit our history, recognizing that our history had been written from a particular standpoint which, in some instances, may have been misleading or not really bringing out the true essence of the dynamics of Trinidad and Tobago.

So we have embarked upon a programme with the three premier universities to look at our history from a thematic standpoint and begin to thematically write our history, or pull it all together so that, one, the history of Trinidad and Tobago, which really talks about our heritage and who we are and where we came from, can be taught in our schools and be an integral part of the education system.

Mr. Speaker, when I went to school we did *The Making of the West Indies*, not the history of Trinidad and Tobago, and it would be good and wise for us to begin to look at teaching the history of Trinidad and Tobago, so that we begin to now change the dynamics of how we see ourselves and then where we go from here as a nation. So we have been working with the Ministry of Tertiary Education and Skills Training and with the premier universities, to deal with that aspect of our history, to deal with that aspect of our heritage, because our history plays an integral role and a part in the development of the heritage of Trinidad and Tobago.

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Mr. Speaker, there is an ongoing project called the “Nelson Island Project”, and that itself is history because that was the little island that some of us have not taken time to really understand the dynamics of. It falls under the remit, obviously, of the National Trust. It falls under their remit because heritage sites fall under their remit. The processing idea of Nelson Island, the history that it played in where we are today as a nation and the people that passed through there, and then subsequent to that, in the 1970s, how it became an island of prisoners and people who played a role in certain aspects that changed Trinidad and Tobago today.

Mr. Speaker, it is important for us to now highlight these things, and the development of Nelson Island from a tourism standpoint is what we have embarked upon, looking at a draft proposal of its development and working towards turning Nelson Island into one of the premium tourism sites in Trinidad and Tobago, because of its integral history, because of the relevance of its history.

Mr. Speaker, you are aware and have oftentimes spoken about the artefacts that were found in the restoration of the Red House. You have clearly defined how rich the artefacts are that they have found at the Red House, and we continue to collaborate with the Red House Restoration Committee to bring that into a reality for its development.

We continue to work and just recently, in collaboration with the Ministry of Works and Infrastructure, a team of Cubans was invited to come to Trinidad and Tobago to look at the buildings that we are dealing with: President’s House, Whitehall, Mille Fleurs, because there is a Ministry of Heritage in Cuba, and their purpose has been to preserve and develop heritage in Cuba. It is a rich heritage island as we look at it in Cuba, a rich heritage destiny, because of the amount of time and investment they have placed and put into the preservation of their heritage.

We are working with such, even right now, on the public library. There is a team that has embarked upon giving all their professional ideas and expertise to help us and to ensure that as we proceed, we would proceed in the right way and approach it in the best ways possible.

To add insult to injury—as a developing nation we have based everything, over the many, many years on oil, and we have been blessed, but the time has come for us in the diversification of the economy to begin to look at other ways and means. I must say, heritage, heritage protection, heritage development is a good and sound way to go.

There is also an opportunity to make heritage key and central as we develop integrated approaches for diversification and, as such, we will continue as a Ministry to work along with and to ensure that from here on the history of Trinidad and Tobago, the heritage of Trinidad and Tobago in whatever forms it takes, will be preserved for years and years to come, and the generations that would come after us will have a rich legacy that was left behind for all of them.

Mr. Speaker, I beg to move.

*Question proposed.*

**Mr. Speaker:** Hon. Members, who is speaking next? The Member for Diego Martin Central? I think it is a good time for us to suspend and have tea, and when we return, the hon. Member for Diego Martin Central will speak. This sitting is now suspended until 5.00 p.m.

**4.28 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Mr. Speaker:** The Member for Diego Martin Central. [*Desk thumping*]

**Dr. Amery Browne** (*Diego Martin Central*): Thank you, Mr. Speaker. It is always interesting to hear this Government talk to us about heritage, and today we got a lot of that from the Member for Arima and Minister of National Diversity and Social Integration—heritage, heritage, heritage, heritage. But I have a question: what about the heritage of honesty in Trinidad and Tobago? [*Desk thumping*] What about the heritage of decency? [*Desk thumping*] What about the heritage of doing the right thing at all times? Mr. Speaker, when we look at the national landscape today we have to ask questions about that aspect of the national heritage of Trinidad and Tobago. It appears to me that it is being lost by the hour or by the second, as it were.

So the Minister spoke for maybe about 40 minutes or so, after indicating that he would speak for five on a Bill to which he made fleeting reference, and there might be a good reason for that because the Bill is literally one clause long. There is the short title which is clause 1, and there is clause 2 which is the Bill itself. So, I would understand why he only made fleeting reference to the Bill, and I am not going to pick on the Minister himself. He is a nice guy, and you know, we never get personal on this side. But the focus is on the National Trust of Trinidad and Tobago.

Mr. Speaker, you would forgive me. I find a certain degree of irony on this day, that we would stand talking about the National Trust of Trinidad and Tobago in this Lower House of Parliament, because it is my humble opinion that the

national trust in this country has never been lower than it stands today. It has never been at such a low point. The Government is largely responsible for this deterioration of standards in this country. It appears that “eat ah food” is king, and I am not really going to dwell on it, but we are talking about the trust of the country and the National Trust.

I heard the Prime Minister making reference to, you know, the need to take time to make some of these hard decisions that she has to make, but I am sorry that the Member for Cumuto/Manzanilla is not in his chair. Because when there was the need to make decisions about some former Members, even my colleague for Fyzabad, we saw some very quick decisions, and on such grave allegations we need to take so much time. But, Mr. Speaker, I will leave that there as it were, but we have to refer to the issue of the trust of Trinidad and Tobago when we are talking about the National Trust. So, I really wanted to address that right at the beginning.

But, Mr. Speaker, our colleague from Arima, a man of the cloth as he is, gave us a nice treatise, and I think he used the opportunity to tell Trinidad and Tobago a little bit about his Ministry, and that was, I would say, time well spent. Because if we had to determine which Ministry the members of society know the least about, it would be the Ministry of National Diversity and Social Integration. There are many members of society that have no clue whatsoever what this Ministry does. That is true. [*Crosstalk*] No. I am trying to assist you and you are now exhibiting bravado, but that is the reality. Most people have no clue. And now the Minister is—I mean, maybe he is sending a signal that he himself has some doubts about what his Ministry is about.

So, I thought it would be important to let persons know, in the context of this debate, what is the purpose behind the Ministry of National Diversity and Social Integration. But what the Minister failed to do was to answer a very fundamental question that arises at the centre of this debate, Mr. Speaker. That question is: why is this change being done now? I do not think that he even let us know exactly what was—or maybe I did not hear him—what is at stake here. What has simply happened here is a very administrative procedure in the law. Whereas before in the National Trust of Trinidad and Tobago Act, this entity the National Trust, and the board and the council and committees and so on, were formulated under the Minister with the responsibility for culture, a change is now being made. The change is very simple, in the definition, where “Minister” now means the Minister to whom the responsibility for heritage preservation is assigned. That is literally the change that is being made here.



But the question that arises—this change is being made after five years of the UNC in the seat of power in this country—five years—this change is now being made. This change is also now being made after two years since the formulation of the Ministry of National Diversity and Social Integration. Is it that they have now recognized that this national trust was languishing in this lacuna of the law under the Ministry of Culture when this new Ministry was created? What brought us here today? What has triggered this awareness? The Minister did not focus on that.

So after five years in Government, after two years this Ministry has been formulated with the perception of a very light workload, we are now adding something to the official workload of this particular Minister, because now the Minister to whom the responsibility for heritage preservation is assigned, is the Minister defined as responsible for the National Trust of Trinidad and Tobago under the National Trust of Trinidad and Tobago Act. Again, I am asking; why is this now being done? Because, Mr. Speaker, that is not just a rhetorical question. A lot has happened in the interim.

I heard the Minister say—I listened to him carefully—he used these words—“we must move quickly to protect what remains”. You heard him—we must move quickly to protect what remains, but I am afraid that we have not been moving quickly enough in this country when it comes to preservation and protection of our heritage. We have not been moving quickly enough. The Minister, in his short time there as well, I would say also has not been moving quickly enough, worse yet for his predecessors in that line of responsibility. Because they have been presiding over a deteriorating sector, Mr. Speaker.

So, he is talking about making haste, but we really have to make haste because key national monuments and sites right across Trinidad and Tobago continue to deteriorate as we speak. That is the honest reality—key national sites across the board continue to deteriorate. Even some pan yards which are historical sites in themselves, not all of them, some are very new, but there are some that are historical sites worthy of investment, preservation, uplifting and development. Some of them continue to be neglected.

I want to give one classic example in this country, and that is the Trinidad All Stars—well I think it was Neal & Massy Trinidad All Stars. Well I do not know if Neal is still involved in it—Massy Trinidad All Stars. It is Massy Trinidad All Stars. That pan yard, Mr. Speaker, is one of those sites that has been mentioned and indicated as a site of interest and so on, but it has not graduated to the listing.

The Minister made reference to the fact that you have sites of interests, and then you have this list which involves a process. He gave us some insight into the process. But if by the end of this year we will be at number 50 out of over 400, one really wonders. What is the most optimistic projection for the completion of that process? The Minister did not tell us. Maybe he would want to take us into his confidence in that regard. So, at least we would be able to measure the performance of this largely unheralded Ministry in the execution of those very important responsibilities. We will have some benchmarks— [Crosstalk] What? You cannot compare yourself to a Ministry of Housing, come on. [Crosstalk] We would have some benchmarks against which to measure the performance of this Minister. It is important, Mr. Speaker, because that is what we are doing. We are adding to the duties today of a Member of Cabinet, a Government Minister. I mean, I can use that as a jumping off to talk about all sorts of things with the Cabinet, but I would not at this point in time.

Mr. Speaker, I was talking about some of the things that have been deteriorating and what has been happening while we are saying we must move quickly to protect what exists. What about Mille Fleurs? I did not hear mention of that. Mr. Speaker, there are many persons that are concerned, even Members of Parliament, very quietly, would ask about Mille Fleurs. Because what we see is not very encouraging. It looks like they have put a tin hat on the building. The Minister of Art and Multiculturalism is not here, but they seemed to have put a tin hat on the building and a fence around it. But that is one of those sites. Because the longer you take to complete that work, that important work, the more the deterioration continues to occur. That does not freeze, that is ongoing. So, talk about make haste, we really do need to make haste.

There are other sites from Cocorite to Charlotteville, right across the country, that require much more urgent attention than has been given in the past and that is being given today. The classic case, the classic case is that church that has—yeah Greyfriars church. That is the classic example. The Minister—I want to acknowledge—he did make reference to Greyfriars. But, Mr. Speaker, he made an announcement today basically that the Ministry has taken steps to protect and preserve Greyfriars. Am I quoting you accurately? [Crosstalk] Sorry. Oh, the Ministry is working—[Crosstalk]

**Mrs. Thomas:** It is only rubble.

**Dr. A. Browne:** Hold on. The Ministry is working with the owner of Greyfriars to take steps to protect it.

Mr. Speaker, I think—and I say this with no pleasure—but this is a classic case of closing the stable door after the horse has already bolted. [*Desk thumping*] A classic case. Because that horse has bolted and is galloping in the pasture today. Mr. Speaker, what they are talking about is not even Stonehenge anymore. A building that, to a large extent, has been gutted. No so, Mr. Minister? Even the tombstones and markings in the compound—a lot of the history, the fabric, that texture is gone.

So, the horse has bolted, and we are being assured that stable door is now firmly bolted. I do not think that that has given much reassurance to the many citizens who are very passionate about our history. And the Minister says politics.

Mr. Speaker, I do not want to go off on a rant here, but that word sometimes is used—I am hearing it being used to cover a whole multitude of sins. We are talking about something very specific here. These are not light matters. There are many people who feel very strongly about it, and when we talk about our young people, and they always talk about the youths and the youths. Some of what is missing has to do with that sense of identity and a knowledge of what went before.

So if we take urgent steps, all of us, to preserve and protect that and to share that among ourselves, then we will have less problems in the future. That is not really about politics. That is about development and empowering our own people. [*Desk thumping*]. That is our job here in this Parliament. So let us really get that very clear.

Then, Mr. Speaker, I was quite startled to hear a little bit about Nelson Island which is part of my own family's heritage and many families in Trinidad and Tobago, because we have many mixed families in this country—Nelson Island. You would recall, Mr. Speaker, we all would, a huge brouhaha to do with Nelson Island a couple years ago. You all remember that? Huge—I have never seen so much PR and self-promotion in the national space, and the impression that was created is that this island, a magic wand has been waved, and this island was transformed into some international site, we would have droves, a tsunami of tourists arriving in Trinidad and Tobago just to get a touch, a piece, a photograph of Nelson Island.

Mr. Speaker, I happen to be an amateur fisherman sometimes when I get the time, and I am very familiar with Nelson Island and what is going on down there, and the traffic or lack thereof between Chaguaramas and Nelson Island. That vision that was sold, I am not going to throw cold water on it or to say it will never happen. What I can tell you, it has not materialized to this day. So when the

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Minister stands here and tells about Nelson Island, I would hope he is not talking about the present in terms of the development and upliftment of that site. I would hope he is talking about the future, because it has not materialized.

**5.15 p.m.**

And again, it is not an academic question or a rhetorical question, because that is not just even a prospect of identity, it is also a question of revenue potential, but we are not going to get any revenue if we are just old talking around these matters. And I suspect a lot of that PR that we got around that Arrival Day time was really just PR and setting up the country, as the UNC does time and time again. All right, I would leave Nelson Island alone for now, but I think the point—*[Interruption]* Mr. Speaker, we were going so good until—Mr. Speaker, I would give you the opportunity to—

**Mr. Speaker:** Member for Lopinot/Bon Air West, could you cooperate and allow the Member to speak in silence.

**Dr. A. Browne:** Thank you, Mr. Speaker, for your protection. Again, the Member for Lopinot/Bon Air West, I do not know if he was summoned when we spoke about the tin hat over Mille Fleurs, but he is back and he is disturbing the proceedings. I am on my legs. *[Interruption]* Mr. Speaker, what is he doing? *[Interruption]*

**Mr. Speaker:** No, no, Member for Lopinot/Bon Air West, Minister of Arts and Multiculturalism, please! Show respect.

**Dr. A. Browne:** You are disturbing the proceedings, I am on my legs.

**Mr. Speaker:** You are not speaking, you have to stay silent or retire from the Chamber, but you cannot be engaging crosstalk. Continue, please.

**Dr. A. Browne:** Thank you, Mr. Speaker. It is not Good Friday, so I do not think any of us is beating up each other. This is just a presentation of issues from a different perspective, and the Government would do well to, at least, to listen, take note and respond. That is what debate is about. And I know the Member for Arima is cut from a different cloth, as it were.

Mr. Speaker, so we are talking about a Government that came into power claiming that they could solve the problems in the social space that we call Trinidad and Tobago. In many respects they have completely failed in that mission. This is a sector in which, again, I am not saying that there were no challenges, there will always be challenges. The question is: what have we been able to put in place to build on what occurred before? Mr. Speaker, I am saying that with respect to the issue of preservation and restoration of aspects of our

heritage, we have been struggling in this country and we continue to do so. I am hoping that this administrative change would revitalize the discussion around these fundamental issues and take our country forward as we all need to go.

And there are a couple other areas that I would like the Minister to explain or spend some time on in his winding up, or whoever else may wish to contribute in the debate, and that is the issue of separation of—and it is triggered by this clause in itself—heritage preservation from culture. That is a very fundamental issue, because what we are doing is we are taking this responsibility from a Minister who has responsibility for culture, a very important Ministry or sector in this country, and we are giving this portfolio to the Minister who has responsibility for heritage preservation, and the natural question that arises is; why is that not the same person? Because, culture is our heritage and our heritage is culture. So, the fact that you have a disparate staff or separate staff, or distinct staff, dealing with those matters, they are, in my humble view, very much integrated and integral.

A question continues to arise with respect to the Prime Minister. You have the largest Cabinet in the commonwealth world today, on planet earth, and there are clear areas where, instead of a separation, there should be fusion and a higher degree of synergy. Along those lines as well, the Minister has not explained the continued separation from the National Trust and its work of the historical restoration unit, which falls under the Ministry of Works and Transport.

Mr. Speaker, that is not a new issue at all, and in many of the references to the challenges that the National Trust has been facing in the past years, that separation has been referred to time and time again. It has been referred to time and time again, and I can give a number of very quick examples. Certainly when the matter of the Greyfriars Church hit the national attention, the question arose—and I would have the reference, I may share it—oh, here it is Mr. Speaker. There was an article published in the *Trinidad Guardian* since March 2013, Zahra Gordon, and a member of the National Trust was interviewed, the deputy chairman at the time, and he was quoted in this article:

“The member said that the trust was not solely to blame for problems facing local conservation, since many historical buildings were the responsibility of the Ministry of Works’ Historical Restoration Unit which has not been provided with adequate funding or political investment.”

“...many historical buildings were the responsibility of the Ministry of Works’ Historical Restoration Unit which has not been provided with adequate funding or political investment.”

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Mr. Speaker, my information as it stands—and the Minister is free to give a different perspective, if he has one—is that Historical Restoration Unit still falls under the Ministry of Works to this day, in January 2015. My information is, it is still separate in terms of its work, not involved sufficiently in the operations and direction and response to the National Trust and the council that currently exists. And with respect to funding and political investment, that support for that key work, because they are supposed to be doers, is not being provided.

So, if we feel that we are solving all problems by making this administrative change, giving this Minister a little more in his bucket of duties, his cup of—*[Laughter]*—is adding to his duties. If we feel that this is going to lead to a transformation of the sector, it is not going to do that. There are other areas, and I am just using this opportunity to point the Minister in that direction, so he as the champion of this cause, would advocate for fusion, that unit really needs to be brought under the ambit to ensure that policy, oversight of implementation, monitoring, management, et cetera, could be done a lot quicker and we could have more synergies in this important sector. So, those are other areas I would like him to touch on.

So, it appears to be a simple amendment, Mr. Speaker, but we have learned that there is nothing simple with this Government at all. Sometimes something might look very, very basic, and there is a lot more—the devil is in the details, and in this Government, well, he is very much in the details—so I am not going to get too much into the meaning of heritage, the meaning of culture, because I do not want to trigger a lecture from my good friend the Member for Lopinot/Bon Air West, in that respect. But, again, the concern though is the separation of tangible heritage from intangible heritage. I am aware of work going on in terms of preservation of some of the intangibles, but you cannot really separate those things. When you talk about a building, there are intangibles associated with a building, and all of that is part of my culture as a proud citizen of this country. So, let us not cut it up or divide it just for the sake of having a Ministry or different department somewhere. I would say empower the trust, further empower the Minister, empower the responsible Ministry to ensure that these things are done and done properly.

I have another issue, I know I am not going to spend my full time at all, but you have national heritage, but there is another level, there is another benchmark, another threshold when you start to talk about the globe, planet earth, and we have a number of sites across this dear planet that are considered world heritage sites.

**Mr. Samuel:** Three of them are already being suggested—

**Dr. A. Browne:** Suggested? Mr. Speaker, you heard the confession for the champion of the cause. Mr. Speaker, do you know how many of our national sites are considered world heritage sites in 2015? Zero. Mr. Speaker, none. In this proud country with all of this culture in rich traditions, and we have people from all over the world and so, we have not reached that threshold.

**Dr. Douglas:** That is not how it works.

**Dr. A. Browne:** Mr. Speaker, they are saying that is not how it works. But the point I am making is, so many other countries, some with even a much shorter history than ours and a much less rich and proud tradition have many of their sites enshrined as world heritage sites.

And again, this is not just a matter for boasting, because if it was there we would have heard boasting and, rightfully so, it is not just a matter of that. In fact, as we speak about boasting, I seem to remember a Minister, the Member for Chaguanas East, doing some boasting about a particular—when he was Minister of Tourism—achievement, in terms of an international award that Trinidad and Tobago—you remember that?

**Hon. Member:** Yes. Yes.

**Dr. A. Browne:** Is it not a little strange we have heard nothing about that?

**Miss Mc Donald:** No, it was the Member for Toco/Sangre Grande.

**Dr. A. Browne:** He knows who I am talking about. [*Laughter*]

**Mr. Cadiz:** Wrong again.

**Dr. A. Browne:** The Member for Toco/Sangre Grande—[*Interruption*—I think he has inherited such a heavy portfolio on sport, I want to give him some time to deal with LifeSport a little better, so that is probably why I trained my guns—Member for Chaguanas East, I am sorry—Toco/Sangre Grande

Mr. Speaker, the point I am making is that some of those vacuous accolades that the Government would claim from time to time would be subsumed if we would have this type of achievement. Any of those more than 400-odd sites of interest and the 50 that would be listed officially in this country by the end of 2015, we need to get—[*Interruption*] exactly, but we have to do it—to this standard, where Afghanistan has two sites, Albania has two—I am going in alphabetical order—Algeria has seven, Argentina has nine, Australia has 19, Armenia has three, Austria has nine, Belarus has four. Do you know how old Belarus is as an independent country? Belgium has 11, Bolivia has seven, Brazil has 19, Bulgaria has nine.

Mr. Speaker, I am just suggesting, that would be another benchmark, a good target, if we are measuring the performance of this Ministry and this sector, and us as a country, because we all have a stake in this. I would be proud to see us reach to this level where we would have Trinidad and Tobago's sites recognized as world heritage sites as well. [*Desk thumping*] I certainly would do nothing to deter from that type of effort at all. Mr. Speaker, I am not going to dwell on the Greyfriars issue, I think it may be mentioned a little later in the debate, but I have made the point that I wish to make on that particular matter, and Godspeed with preserving what little is left.

Mr. Speaker, on the issue of the National Trust, just in wrapping up a few points, there is good news as well. You know what some of the good news is in the modern age? The National Trust has a facebook page, and that is exciting. I was very heartened when I recognized that. The National Trust has a facebook page, so I decided I would take a look at this facebook page, and what did it say? The devil is in the details. So, they have a facebook page, and with the Prime Minister's approach to governance she would put a big tick, page exists. Mr. Speaker, there is bad news as well, because this page, something as dynamic as the National Trust with so much going on in the sector, I recognize the last activity or update on this page occurred in September 2014. So, for all extents and purposes, we are talking about preserving life and breathing life into a site, the site is dead. That site is dead as we speak. That has to change Minister and Mr. Speaker. That has to change. Let us get our young people excited about these things. It is good that it is there with them on social media, but it has to be alive otherwise it cannot excite anybody.

**Mr. Samuel:** You have to be careful. [*Laughter*]

**Dr. A. Browne:** I know, I am not even going to extend that analogy anywhere exactly. Mr. Speaker, the other thing is, when you look at the number of likes of the page, 641, and that is really not enough for an entity that we pay for with national resources, and we are expecting a lot of—so a lot of life has to be—I mean, 641 likes in the overall ambit is really not sufficient. I am sure the Attorney General has more likes on facebook than the National Trust. That is not a good sign for the National Trust, so we need to do some work on that as well.

**5.30 p.m.**

Mr. Speaker, we have had some changes in the past. I know there have been changes at the level of Chairman and other changes. I am not going to dwell on personalities. I would just say we have to recognize good work that was done previously and ensure that those who are there now are pressed to their task and



do more and do it quicker and smarter to ensure that our national heritage, the tangible aspects of our national culture, all of these things can be better preserved.

I have identified a number of concerns, a number of areas for which I am requesting clarification and other things that are flagged for the Minister's consideration, because I consider myself an involved and concerned stakeholder. I am glad we are having this debate today, but I want remind the Minister that—  
[*Interruption*]

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Diego Martin Central has expired. Would you like an extension hon. Member?

**Dr. A. Browne:** Yes, a brief one.

*Question put and agreed to.*

**Dr. A. Browne:** [*Desk thumping*] Mr. Speaker, I am grateful for the extension, but I really will not abuse the hospitality of the House much further. All I would like to say, on this very, very brief and seemingly simple Bill is that this Government once again has let the ball slip in a key area of responsibility. The fact that today, January 2015—it is the truth—that we are making this amendment, two years after this Ministry was created, to bring something that we are all saying is so important, under the ambit of the current Minister, is a sign that something was wrong. I am charging this Minister with the responsibility of making wrong things right. I do not think he has that power with respect to the UNC Government, but at least with respect to preserving some of our sites, I wish him the very best.

Mr. Speaker, I thank you.

**The Hon. Minister of Science and Technology (Hon. Dr. Rupert Griffith):** Thank you, Mr. Speaker, and to me it is a special privilege to speak on this short Bill. This Bill is such a simple one paragraph, well two paragraphs Bill, and the simple explanation is:

“The purpose of this Bill”—and very simple, Mr. Speaker—“is to amend the definition of ‘Minister’ to enable the Ministry of National Diversity and Social Integration to have oversight”—another key word which the hon. Member for Diego Martin Central did not appear to understand—“to have oversight of the work of the National Trust of Trinidad and Tobago, which now falls under the remit of this Ministry.”—simple.”

But the hon. Member for Diego Martin Central went all over the world talking about all sorts of things. Many of them, I wondered whether he was speaking on this simple amendment to the Bill, I really was wondering. But you know, Mr.

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Speaker, I was trying to take some notes to respond to some of the things he said, and there was not much. [*Crosstalk*] Oh, yeah, I mean that is so typical of you, I mean the Member for Diego Martin Central. [*Crosstalk*] No, I am not getting personal. I am responding to the last Member who spoke and he reminds me — he speaks a lot in this Parliament, Mr. Speaker, and I do give him credit for that, and I must admit sometimes he does his research. I wonder whether he did any on this occasion.

What I understood clearly from his contribution, however, is that he did not quite understand the purpose of this amendment Bill. He is all over the place. And you know what he reminds me of, Mr. Speaker? I am sure that you are young enough to remember that they used to have some people they called “town criers”, when they run around and they talk about, notice, water is turning off or the road is going to be paved and sometimes they get out in the Square and announce — before the prevalence of PA systems, they will get out in the street and give answers, make announcements. That is what he reminds me of. And then I said no, I do not think he was around during that time, Mr. Speaker, even though he sounds like the town crier. And then as I listened to him as he went through his 46 minutes, I kept thinking, and I was tempted to go outside and look up in the sky and see whether the moon was shining and whether he was under the influence. [*Crosstalk*]

So, Mr. Speaker, because when the Member talked about why this Government waited five years, and only two years—the Ministry was formed just what, two years ago? Just about two years ago. Why did the People’s National Movement not form a Ministry such as that since you—[*Crosstalk*—effect the importance as that.

**Dr. Browne:** What! Ohhh.

**Hon. Dr. R. Griffith:** Why?

**Hon. Member:** They are going to remove that one too.

**Hon. Dr. R. Griffith:** You understand. The question is, why? And, Mr. Speaker, he talked about, you know, all the things that the Minister did not talk about in his presentation. And again I said, listen, and was he in the House when that was done? Was he listening? Clearly he was not. Most of the issues he raised, the Minister spoke about them. So I am sure the couple points that he made, that probably would make sense to the hon. Minister, will be responded to in due course. Okay.

Let me go on with my text because, Mr. Speaker, this is a very, very, important Bill. The Trinidad and Tobago national heritage has always been close to my heart. As a citizen who spent many years abroad studying, I always lived and remembered our heritage, the things that made me who I am, a citizen of Trinidad and Tobago, a unique citizen in terms of our culture, the way we do things, the way we approach our lives, all of that and heritage has an impact on that.

Mr. Speaker, the preservation of those things that make us a people, it is innately and unmistakably, a Trinidadian and Tobagonian culture. The Minister made a big issue, between heritage and culture. Culture is part of heritage. You cannot have a distinction. And you know, here again he was really off course. Heritage is the kind of symbols that identify us and help us define ourselves as a people. A Trinidadian is distinct. He can go wherever he wants in this world, you can spot a Trinidadian. Why? Because of his heritage, his mannerism, his culture, all of these things are part of our heritage.

Indeed, in my first ministerial posting in this People's Partnership Government as Minister of Tourism, Mr. Speaker, I formed a special Advisory Committee on Heritage Tourism. This 16-member committee comprised some of the best locals of Trinidad and Tobago, best locals we could put together to look at heritage in tourism. They had people such as the great Louis B. Homer who has gone beyond, and God bless his soul; Pearl Eintou Spinger, Shamshu Deen; the president of the Carib Community of Arima, Ricardo Bharath, he is the president of the First People's community. People like Hans Hanoomansingh, this was chaired by the noted author and social researcher, Dr. Kumar Mahabir, who is doing excellent work on heritage.

This committee led the way in identifying and documenting over—and get this, Mr. Speaker, the Member talked about 50 in a year and how it takes so long to do that, and how much we might have by whatever year. But Dr. Kumar Mahabir identified at that time while it was still in the Ministry of Tourism, over 300 heritage sites in Trinidad and Tobago.

**Mr. Samuel:** And it is now 429.

**Hon. Dr. R. Griffith:** And it is now 429, I am told. So they are still identifying sites, and all of those sites are being developed. But, Mr. Speaker, before I go any further, let me elaborate for you, for the benefit of this House, on the concept of national heritage, and I hope the Member for Diego Martin Central is listening. Are you still there?

**Dr. Browne:** Yes, Sir.

**Hon. Dr. R. Griffith:** Please listen.

**Dr. Browne:** I am taking close notes.

**Hon. Dr. R. Griffith:** Right, take close notes.

**Dr. Browne:** Copious notes.

**Hon. Dr. R. Griffith:** Our heritage is the legacy of tangible items, such as buildings, monuments, books, works of art and artefacts. An intangible item such as folklore, traditions, language and knowledge. You think you can hear about Papa Bois or spingo shang in another country?

**Dr. Browne:** What is the source?

**Hon. Dr. R. Griffith:** What is the source? I will tell you. These things are inherited from past generations, maintained in the present and consequently bequeathed for the benefit of the future generations. Also today, when we speak of heritage, Mr. Speaker, we cannot disregard our natural heritage, like our biodiversity, our landscapes and other natural assets, our fauna and “florna” are unique.

**Dr. Browne:** Flora and fauna.

**Hon. Dr. R. Griffith:** Flora and fauna are unique, the only types you can find in this part of the world right here. And those are some of our heritage. We need to preserve them.

But, Mr. Speaker, we must answer the question of, why is our national heritage important? The first part of the answer has to do with the intrinsic value of our heritage. It is knowing that our shared beliefs, our traditions, customs and history are and now, they shape us and define us as nationals and our national identity.

Mr. Speaker, it is often said that if a people do not know from where they came, how can they know where they are going? And to some extent you can add to that, how would they know when they have reached? It is this collective sense that fosters national unity, pride and patriotism, all essential ingredients in nation building.

Many of us would have witnessed recently, Mr. Speaker, events on the television with persons in France. Remember the attack by the terrorists, Mr. Speaker? Signs and the people gathered, millions of people gathered in the Square, and the message was, I am French, and I quote:

“I am French, this is my country. This will not make me leave—as in the case of the Jews in the country who were being forced out.”

They said this will not make us leave. One could not help but ask, what fosters such strident patriotism? I will tell you, it is the complex amalgam of all of the above things I mentioned about heritage. That is what makes us a people and that is what gives us a strong patriotic feeling, a belief and it is more than just a culture.

Mr. Speaker, there is another dimension of national heritage, the economic side. In these times of falling national reserves it is critical that we extract incremental revenues from all possible sources. If we have 429 sites, you could well imagine how those sites could be developed and attract the types of tourism and investment in these sites in Trinidad and Tobago. And that is what the Ministry is seeking to do under the watch of the Minister with responsibility for that Ministry. The preservation and conservation of what is unique, attractive and beautiful about our country is a proven concept of bringing visitors to our shore. A recent survey, Mr. Speaker, of 20 countries showed that 57 per cent of the respondents said that the history and culture were the strong influences which motivated them to go to visit a specific country. The history and influence, 57 per cent.

**Hon. Member:** That is a lot.

**Hon. Dr. R. Griffith:** Yes, that is a lot.

**5.45 p.m.**

That is how they choose their holiday, Mr. Speaker. The magazine *Visit Britain* estimates that £4.5 billion are spent annually by visitors on visiting historic places in Britain. You could well imagine the economic benefit of our heritage resources in Trinidad and Tobago.

If you will permit me to again speak about my tenure as Minister of Tourism, I want to share with this House that I had implemented a project called “The Community Culinary Offerings”. This was in various villages throughout Trinidad and Tobago. In other words, a unique selling proposition was the culinary heritage. Do you know that most people travel to many countries just to sample the various cuisines? And Trinidad and Tobago is one of the most popular destinations—the Minister of Tourism will tell you that—as a result of our culinary tourism.

**Dr. Rambachan:** Including Debe, eh.

**Hon. Dr. R. Griffith:** Debe too—the doubles and the pies and all of that. That is well known.

So not only did we throw the spotlight on these villages by having these culinary heritage activities, many of them, with long, interesting histories, lush landscapes and architectural diversity, but we provided training to the community chefs to foster good food preparation and presentation practices. The vision was to leverage a tourism potential by promoting them and making them more visible and business ready. And would you believe that even today many tourists come to Trinidad and Tobago and they travel from village to village just to sample the culinary delights?

At the same time, Mr. Speaker, we are ensuring that these traditions and practices are passed on to the next generation and the wider national community as well. In a region known for its tourism and where competition for our nation for every foreign visitor is extremely tense, Trinidad and Tobago has had to differentiate in its tourism product offering in order to be competitive and successful in this aggressive field. What better way to do so than with our rich and unique elements of our national heritage.

As the former Minister of Tourism I can tell you with some authority that these initiatives commenced long before the current price shock in the energy markets. Such has been the approach and vision of the People's Partnership Government. I need not remind this honourable House, one of the fundamental tenets of our stewardship is a better quality for all and that is exactly what we have been delivering.

Thus, Mr. Speaker, I fully support the purpose of the Bill to allow the Minister of National Diversity and Social Integration to have oversight of the National Trust. I firmly believe in the adage, and I quote: "If you fail to plan, then you plan to fail." This Bill will ensure that the appropriate legal and institutional measures will be implemented and that the preservation and maintenance of our heritage is streamlined and harmonized, and that is what the Member for Diego Martin Central failed to realize. By having that oversight in one specific Ministry, nobody is talking about taking over some of the functions that still reside in other Ministries. That is not the purpose of the Bill. The purpose of the Bill is to have that oversight so we could do exactly that.

Mr. Speaker, this Bill will also ensure the appropriate legal and institutional measures will be implemented. Lots of legislation, as the hon. Minister indicated, must be enacted. He has to come to this House with amendments to most of the

Bills dealing with the National Trust to give effect of this oversight that his Ministry will provide; that the preservation and maintenance of our heritage is streamlined and harmonized, it will also facilitate the adoption of a more holistic approach, rationalize the execution of random initiatives under disparate entities that would neither fit into the required framework nor adhere to international best practices. So one of the things of this oversight, is that it will ensure that Trinidad and Tobago, like the rest of the world, will have best practices when it comes to heritage and the National Trust.

I have spoken a bit about the initiatives as the former Minister of Tourism. Please allow me to affix my caps that I wear now—my plural caps I call them, as both Minister of Science and Technology and Minister of Sport. As Minister of Science and Technology, I recognize that our scientific heritage is also important. I know this is not a term commonly used, “scientific heritage”, but Trinidad and Tobago has a valuable scientific history that I believe is a key component of our social and economic development agenda.

The United States President, Barack Obama, in the recent State of the Union address advised that the graduates in science and mathematics—indicated that that was the highest in recent years. There is a reason for that. There is no doubt that a deliberate and calculated plan was hatched by the United States because for many years the United States was falling behind and the United States President, Mr. Obama, gave great emphasis in building back their technologies, science and mathematics. So the Americans became users of technology as opposed to the creators of technology.

Thus, the focus on science and maths has returned to the American roots, its original moorings, and a return to the foundation which made the United States a great nation. What made America great is firmly rooted in its legacy of its heroes past. Again, heritage created the heroes of today. So that is another element that, based on the heroes we have today and the great hallmarks and the great inventions, motivates the youth and the young to invent and create, and that becomes part of our heritage.

The stories of these role models are embedded in the psyche of every American. The documentation and dissemination of the life stories and achievements of these persons are all legend. Again, this is how we promulgate our heritage. So much so, that every Member sitting in this Chamber today, I can guarantee you, Mr. Speaker, knows them. I will only call a few names just to make this point of national heroes in the United States.

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When we talk about the Wright Brothers, I am sure everybody in here could tell you what they did. Thomas Edison, Alexander Graham Bell, Henry Ford. In modern times also, the same premise holds with names such as Bill Gates, Steve Jobs, Mark Zuckerberg and Michael Dell. You know what these guys have done. This is the heritage, particularly in ICTs. You know who they are, who the forerunners are, and that forms part of the ICT heritage of the United States. This is the part of the American heritage; American folklore. It tells its citizens, young and old that they, too, can do it. They can achieve the American dream and it presents the role models in such vivid format and without saying a word, ask them to draw deep inspiration and emulate the past. So that is part of your heritage, Member for Diego Martin Central.

So, too, the Ministry of Science and Technology has been doing our part. Trinidad and Tobago has achieved many firsts in STI, Science, Technology and Innovation, and has nurtured many eminent scientists and engineers, many of whom are little known within the national community. In 2005, NIHERST started documenting the profiles of these scientists and engineers as an offshoot of its award for excellence in science and technology. The award seeks to recognize and reward nationals for outstanding achievement in science and technology, to provide positive role models for our youth to emulate and to record our scientific heritage.

There are seven categories of awards. The first one, Fenrick De Four award for Engineering, Emmanuel Cipriani Amoroso award for Medical Science, the Rudranath Capildeo award for Applied Science and Technology, the Julian Kenny award for Natural Sciences, the Anthony Williams award for Technology Innovation in Arts and Culture, the Frank Rampersad award for Junior Scientists, and the Ranjit Kumar award for Junior Engineering.

Mr. Speaker, all of these persons are going to be in our science and technology heritage. To date, NIHERST has produced seven publications in the icon series and the eighth is in progress. Over 100 icons have been profiled. The publication series serves as our very own local educational resource guide as Trinidad and Tobago presses on towards the development of a more diversified knowledge-driven society. The publication is an educational resource that seeks to inspire students to realize the great heights obtained by our icons and to see their own potential as reflecting in their life stories. The awards and the icon series also help to raise the visibility of our sons of the soil and signal to the wider community the importance of their contribution to society, both regionally and internationally.



So, Mr. Speaker, all of this encompasses what heritage is about. What our great sons and daughters of the soil do today will form part of the heritage of the future. Among the many names and icons like Dr. Courtney Bartholomew, Dr. John Agard, the late Father Anthony Lai Fook, Dr. Andre Cooper, Dr. Camille Wardrop-Alleyne and Dr. Fenrick De Four, all of these are important icons and will form part of our hall of fame and our heritage.

Recently we hosted a retirement function for one of our great science administrators, Mrs. Maureen Manchook. Mrs. Manchook spent over 30 years in the administration of science and technology. She was responsible for a great part of the work with respect to the formation of NIHERST, the establishment of the National Science Centre and the creation of COSTATT. She is also an icon and an inspiration to our young scientists, especially our young girls. All of these people will form part of our heritage and our history.

Under my stewardship, Mr. Speaker, as Minister of Science and Technology, NIHERST will be transitioning to a brand new science city situated on 52 acres of land in central Trinidad, in the midst of a former cane field.

**Dr. Rambachan:** You could go and drive. It is next to the children's hospital.

**Hon. Dr. R. Griffith:** Yes, it is next to the children's hospital. Thank you.

I want to give the assurance to this House and to the nation that this centre will contain a fitting tribute to our scientific heritage, the persons, their stories and their achievements.

**6.00 p.m.**

Mr. Speaker, just so the Members on the other side understand clearly, we will be consulting with the Minister of National Diversity and Social Integration to ensure that we fit into the framework that is setting up and, that is, his Ministry will be providing significant oversight.

Mr. Speaker, I now move to sport. There is also sport heritage. Member for Diego Martin Central, there is also sport heritage.

**Dr. Browne:** I am listening to you.

**Hon. Dr. R. Griffith:** Good! Take notes. I remind this House, Mr. Speaker that one of the objectives of preserving and maintaining our national heritage is to foster national unity, patriotism, and a strong sense of national identity and a genuine feeling of belonging, to every citizen. Let me suggest in the strongest terms that this country's sporting heritage is the key to all of the above. Who can forget the Strike Squad World Cup campaign of 1989 and our first introduction to

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the Sea of Red, when in 2005 the virtual shut-down of the country on the historic afternoon when we qualified for the 2006 FIFA World Cup? Can you remember that? And the tens of thousands of national flags that remained mounted on cars for months thereafter?

We are arguably the most successful sporting nation in the English-speaking Caribbean. Our sporting annals are chock-full of athletes—[*Interruption*]

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Minister of Science and Technology has expired. Would you like an extension?

**Hon. Dr. R. Griffith:** Yes, Sir.

**Mr. Speaker:** Hon. Members, the question is that the speaking of the hon. Minister of Science and Technology be extended by 15 minutes.

*Question put and agreed to.*

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

**Hon. Dr. R. Griffith:** Thank you, Speaker, but I dare say I intend to make a short contribution, so I would not take the full 15 minutes.

Our sporting annals are chock-full of athletes, who have excelled in the local, regional and international sporting arenas. Just to name a few from the different areas: Hasely Crawford, Wendell Mottley, McDonald Bailey, T&T all-conquering 1979 netball team; and then there are the Young Turks of today: Ato Boldon, Brian Lara, Dwight Yorke, George Bovell III, Keshorn Walcott, from my own constituency, Darrel Brown and others, Richard Thompson—[*Interruption*]

**Miss Mc Donald:** “Keshorn say he doh see yuh.”

**Hon. Dr. R. Griffith:**—and many others—I see Keshorn all the time—whose quest for success and sterling achievements bind us as a nation and inspire us to greatness.

Mr. Speaker, I give this undertaking today, as Minister of Sport, that when we open the aquatic centre, the tennis centre and the cycling velodrome in June of this year, there will be incorporated into the stadia and the hall of justice, or the hall of fame, with all of these previous athletes, and it will definitely be a heritage site that will also come under the Ministry of National Diversity and Social Development, a facility that will showcase the historic sporting achievements of this nation and the personalities who succeeded in delivering these remarkable accomplishments.

Mr. Speaker, you know, one of the things that I remember as a young guy living abroad is that I think all who have done some history will remember the Battle of Waterloo with Napoleon and Wellington. You remember that, Member for Diego Martin Central?

**Dr. Browne:** Yes. Vividly.

**Hon. Dr. R. Griffith:** Right? So do you know that in Waterloo, when the battle was raging, Napoleon got his leg blown off and the jacket he was wearing is still hanging in the building where they took him to do the surgery? They cut a branch of a tree and made a crutch and that crutch is still leaning there, but guess what? You have to pay £5 just to go and see Napoleon's old jacket and the stick that he used as a crutch; and the very bed that he laid on when they did the surgery is still existing. Trinidad and Tobago is well on the way of preserving our heritage, not only for us in this generation, but for many generations to come. *[Interruption]*

**Hon. Dr. Rambachan:** I wonder what they did for Dr. Williams.

**Hon. Dr. R. Griffith:** Ask the PNM that.

Mr. Speaker, I want to clarify, especially to the Members on the other side, that this endeavour of establishing these heritage exhibition centres is not new to this Government. We established the Sugar Heritage Village to preserve the memories and artefacts of one of the most important industries in the country's history. In May 2011, the hon. Prime Minister, Kamla Persad-Bissessar, formally declared the village open at the old Brechin Castle sugar factory in Couva.

As I wrap up, I want to commend the Minister of National Diversity and Social Integration on the vigorous implementation of the heritage agenda. It will be a laudable achievement to list the 50 sites in addition to the 429 which now exist—and these sites by June of 2015, 50 brand new sites—as he plans to put the 50 in above the total sites that he now has identified. Also important is the tremendous progress of drafting and submitting the public consultation, the first of the national heritage policy, and the Minister and his Ministry must be complimented.

Mr. Speaker, we are a young nation and too often softer issues such as national heritage gets side lined from others that are deemed more pressing and real. This is not the view of the People's Partnership Government. We are fully cognizant of the role of heritage in the weaving of the fabric of our society, such that the fabric will be strong, durable and resilient, and that each strand, each heritage, each initiative of that fabric will understand its own value and its value as a precious part of the whole.

So, Mr. Speaker, I support the amendment in this Bill and I want to thank you for this time for making my input. [*Desk thumping*]

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

**Miss Alicia Hospedales** (*Arouca/Maloney*): Thank you, Mr. Speaker. At one point in time I thought the Minister had us a bit lost, giving us a history lesson on nothingness, but I think [*Laughter*] that he eventually slightly redeemed himself. The Minister of Science and Technology indicated that—he said, “If we have 429 heritage sites you could well imagine what will happen when the sites were developed.” I am saying to the Minister, “Four and a half years too late.” As a previous Minister of Tourism, did you not know that? Four and a half years too late.

The Minister of National Diversity and Social Integration came and he listed for us four items, four things that, to me, would have been in my estimation the only achievements that he had documented to present to us today. He said that they appointed a new museum board, the new museum sector policy, the review of laws, drafting of national heritage polices, and I am asking: the Bill that is before us here this evening is about the national trust, what are the achievements of the national trust? The Minister did not come and tell us. He did not outline any of the achievements. How many heritage properties to date, since the inception, have they been able to restore?

Mr. Speaker, I took the time out to look at the development programme because the Minister is talking about the Government’s commitment to heritage sites, et cetera, et cetera. I took the time out to review the list, one—first I looked at the list of heritage properties issued by the national trust.

**Mr. Samuel:** How many do you have?

**Miss A. Hospedales:** Two hundred and sixty-four listed. This came from their website.

**Mr. Samuel:** Four hundred and twenty-nine.

**Miss A. Hospedales:** Well, they need to upgrade the website. So that is another failure of the National Trust. They need to upgrade their listing because this came from their website. So we even heard about the fact that the Facebook page is backdated, so the website as well also has issues.

Mr. Speaker, when I looked at the number of projects listed in the development programme with reference to the heritage sites that are listed by the National Trust, I could have only found one. Only one listed in the development programme, and this is for—Mr. Speaker, the Minister is asking me which one.

That one is the establishment of the national heritage site at Nelson Island. That is the only one that I found.

The Minister came here and he told us about the Government's commitment to the restoration and the development of these sites. I really do not think that they are really serious because how could one—*[Interruption]*

**Mr. Samuel:** When I looked back I saw—*[Interruption]*

**Miss A. Hospedales:** Okay, you are saying that there are 429 heritage sites of interest, right?

**Dr. Browne:** And Cro Cro said that they are all being preserved.

**Miss A. Hospedales:** Yes. Mr. Speaker, the Minister of Science and Technology indicated that they are all being preserved. Out of 429 sites or the 264 listed by the National Trust, only one is actually in the development programme, and I say that is a cry for shame with reference to the fact that there is no real commitment. I want to ask the Minister, and I hope that he will be able to tell us, how useful is the National Trust? How useful is it? How responsible has it been in safeguarding our built and natural heritage? How responsible has it been?

You know, we had the example of the Greyfriars issue. I was amazed when the Greyfriars issue—*[Interruption]* I was amazed when the Minister talked about the fact that they had submitted plans. Plans to do what, when the building is almost down? And then he also talked about the issue that basically, you know, they are committed to ensuring that the building is preserved, and I am asking: preserve what? The foundation? Are they going to preserve the foundation? That building is in a deplorable state. If there are two walls, those walls eventually deserve to be taken down.

Mr. Speaker, when we look at the state of the Red House, the Red House is really a sight for sore eyes. The National Heritage Library—I remember as a young person going to the National Heritage Library, that building on Knox Street is in a deplorable, deplorable state. It is to the point of disrepair. When we look at the Magnificent Seven, how many of them could we say actually still hold the title of magnificent? How many of them can we say hold that title of magnificent? Almost five years later and what has been done? The issue of the President's House, that has been long-standing, outstanding, long-standing, and I do not know whether the Government has a commitment to ensuring that our national heritage properties and sites are really developed and restored.

**6.15 p.m.**

Mr. Speaker:

“The failure to repair and maintain so many”—of these—“...buildings is a tragic symbol of...disdain for history and the simple sense of proper maintenance.”

And that was said by Afra Raymond. I will state it again. Afra Raymond indicated:

“The failure to repair or maintain so many essential buildings is a tragic symbol of our disdain...”

I cry shame on the Government because—[*Crosstalk*] Shame on the Government, shame on the Government because, Mr. Speaker, they have demonstrated that they do not have the political will to ensure that any of those heritage buildings are repaired or restored or maintained. [*Desk thumping*] They have no commitment.

Mr. Speaker, you know, when the Minister comes here and he talks about the Government is committed to ensuring that these buildings are maintained, if the Government was committed to ensuring that those buildings were restored or repaired or renovated, they would have ensured that the \$400 million that was spent on LifeSport would not have been spent. Then if we go to the Hoop of Life, we go to the Colour Me Orange, you know, there are so many programmes, [*Crosstalk*] millions of dollars spent, squandered. [*Continuous crosstalk*] Millions of dollars that could have been better utilized on the construction—[*Interruption*]

**Miss Mc Donald:** Mr. Speaker, Standing Order 53(1)(e), please.

**Mr. Speaker:** Please. Member for Lopinot/Bon Air West, I am hearing you clearly. Allow the Member for Arouca/Maloney to speak in silence, please. Continue, hon. Member, please.

**Miss A. Hospedales:** Mr. Speaker, I cannot speak in silence. Thank you so very much for protecting me. As I was saying, millions of dollars squandered, that money could have been better utilized restoring those buildings, upgrading the heritage sites, better utilized. At least, today, the Government would have been coming with a long list of projects stating that the \$400 million spent on LifeSport was properly utilized, the \$50 million spent on building the—remember that cowshed in the savannah?—that that was properly utilized. The \$75 million spent on Colour Me Orange or one of those other programmes, they would have been

coming to report that that was properly utilized on the projects, on these heritage sites. [*Crosstalk*] But they literally squandered the money.

**Dr. Rambachan:** Member for Arouca/Maloney, “you for real?”

**Miss A. Hospedales:** They squandered the money. Mr. Speaker, the Minister indicated that they must align their objectives to protect what we have and I agree with him. They have to align their objectives to ensure that they are no longer squandering the money, to ensure that the money is properly utilized in the restoration of these buildings. I would like to agree with him. Mr. Speaker, I would like to say that the National Trust needs to be a little more proactive in the restoration and in the preservation of our heritage properties and sites. They need to be a little more proactive. They need to have—you know, put a little fire under them, so that they can get to work doing proactive work.

Mr. Speaker, the Government as well, you know they could—you know, it is “ah lot ah talk, ah lot ah talk, talk, talk. Dey say they doing this and dey doing that”, but most times, when you really look at the commitment, as I said, where the money gone? All the money squandered—where the money gone? They squandered the money and now they are telling us that it is only one project under the development programme that they can commit to. One project, you know, in the development programme, when they could have had 20, 30, 40, even the 50—the proposed 50 that the Minister seemed to be a little confused about. He said 50 in addition to 429 but it is 50 out of the 429, so he seemed to be a little confused there.

You know, the Government needs to really look at its objectives, stop squandering our money and demonstrate a true level of commitment to ensuring that our historical properties and sites are preserved. Thank you. [*Desk thumping*]

**The Minister of National Diversity and Social Integration (Hon. Rodger Samuel):** Mr. Speaker—[*Interruption*]

**Dr. Douglas:** [*Laughter*] “Doh even know what to say.” [*Laughter*]

**Hon. R. Samuel:** I am shocked, Mr. Speaker. I stand here—[*Interruption*]

**Mr. Speaker:** Do not be shocked, just talk. [*Laughter and desk thumping*]

**Hon. R. Samuel:** I am so shocked.

**Mr. Deyalsingh:** Do not be shocked.

**Dr. Browne:** “Yuh will end up like Chaguanas West, you know.”

**Hon. R. Samuel:** Mr. Speaker, I am really lost for words because it appears as if the folks that were speaking on the other side were not here at all hearing anything that was presented. And, as a matter of fact, at the end of the day, regardless of what happens, we have to ensure that the process and the mechanism for the protection of what we have begins and starts to take its flow so that we can achieve the things that are set out to be achieved.

Mr. Speaker, if a lot of this was done previously, we would not be in this position today. As a matter of fact, I said before that a lot had been lost and a lot has already been destroyed. If this was done before, the old St. Joseph Police Station would not have been destroyed. A lot of the sites that we have would not be the way they are today if this had been done before. We would have just been having to maintain what we have because it was not done before. I am not here to argue about that.

The fact is that because we had not set the kind of policy mechanisms in place and we had not looked at it holistically, and to deal with it, we at this Ministry have now had to do it. We have now had to put these mechanisms in place to now ensure that we achieve the necessary things that we ought to achieve, and we head in the directions that we ought to head. If this had only been done before, then we would have been here not looking to do changes but we would be here to now enhance the things that were necessary to maintain and to ensure that these things are protected even far more.

Mr. Speaker, the last 13 years or 14 years, the majority of which was under the previous regime, 13 sites were done, if so much, in that particular period of time. And the fact that we are attempting to pursue vigorously 26 more and then 50 and continue the process, it is something that was not done before and now it must be done. For 40 years, it has been left undone and now it has to be done, it must be done today. It has to be established, it has to be pursued, and we have to head in the directions that we must head.

Mr. Speaker, people talked about Nelson Island, I want to talk about that. The development of Nelson Island continues. There are ongoing tours that are run by the National Trust on a weekly basis to Nelson Island. The development project continues. So, they speak what they do not know. As a matter of fact, the policy framework for the expansion of the museum, the expansion of heritage, that was not done before, it has been done now, and now we are developing the process.



The collapse of the President's House happened under the past regime. We have done the seismic tests through the Ministry of Works and Infrastructure. We have brought in the professionals to look at it from Cuba, who are the professionals that are doing work.

The old library: work has begun on the old library, if you have not been to Port of Spain for the longest while. Member for Arouca/Maloney, the old library, work has begun on the old library. And, at the end of the day—[*Crosstalk*] But the library ceased to be used for many, many years before that but nothing was being done. I want to encourage you, you must look at things and realize that things are happening that did not happen before as you talk about that. We had to protect—[*Interruption*]

**Dr. Gopeesingh:** It is called the Heritage Library.

**Hon. R. Samuel:** It is now called the Heritage Library because NALIS is the main entity behind that project development. We had to protect Mille Fleurs because Mille Fleurs had been deteriorating and we had to protect Mille Fleurs tremendously from further deterioration. We ended up protecting it from the elements so that the work can begin on it. The professionals who came to us from Cuba likewise visited the facilities to give us the guidance as to how that facility can be approached in the most professional way to deal with it so that further damages will not take place on that building.

Mr. Speaker, one writer says we do not stumble on heritage but heritage is there that is waiting to be explored and to be shared. Our purpose is to explore the heritage that we have. Sometime ago when I took office, there were some 200-and-something sites that were sites of interest. Within the space of one year to 15 months, we have expanded that and extended that to 429 sites of interest, and we are extending it more and more as we pursue sites into communities and we then have these sites recorded. We are soon to work with the Ministry of Land and Marine Resources so that we can utilize their facilities to map all these sites out digitally so that we can know clearly where these sites are exactly, the state and the conditions of these sites.

At the end of the day, it is never too late to do anything and we have started the process, and we intend to take the process further. With that in mind, Mr. Speaker, at this time, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

*House in committee.*

*Clauses 1 to 3 ordered to stand part of the Bill.*

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

*House resumed.*

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

**6.30 p.m.**

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

*Order for second reading read.*

**The Minister of Transport (Hon. Stephen Cadiz):** [*Desk thumping*] Mr. Speaker, I beg to move:

That a Bill entitled an Act to establish a Motor Vehicles Authority for the registration, licensing and regulation of motor vehicles and drivers, the regulation of road use, and for matters connected thereto, be now read a second time.

Mr. Speaker, the Motor Vehicles and Road Traffic Bill, 2014 comprises 22 parts with a total of 272 clauses. The Bill repeals the following:

1. The Motor Vehicles and Road Traffic Act, Chap. 48:50;
2. The Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52;
3. The Maxi-Taxi Act, Chap. 48:53.

Mr. Speaker, the Motor Vehicles and Road Traffic Act, Chap. 48:50 is the existing legislation which presently provides for the registration of vehicles, the issue, suspension and revocation of driving permits, and driving and other offences relating to the use of roads in our nation. This legislation was first enacted by Act No. 42 of 1934 and prior to 1934, motor vehicles operating were regulated under an ordinance.

From 1934 onwards, there have been approximately 90 amendments throughout the years. I recognize that my friends on the other side are responsible for some of the more recent amendments named, and I applaud them for it, namely: the seat belt legislation, the breathalyser Act that is driving under the

influence, and the use of mobile devices. [*Interruption*] I must say that has gone a long way in making our roads safer. Our “unfriends”, I should say— [*Interruption*] “yuh see”, I should never have applauded them for it, but anyway, these things—that is how “dey does operate”.

Under our administration however, Mr. Speaker, we have also brought legislation for the implementation of the speed detection devices, and also the issuance of diplomatic registration plates. These are things that have been around for a very, very long time.

Mr. Speaker, it is reported that in 1910, there were approximately 50 vehicles in Trinidad and Tobago, and at present, there are approximately 730,000 registered vehicles. During the year of 2014 alone, a total of 33,683 vehicles were registered in Trinidad and Tobago. So here it is, we have an Act that is old, archaic, and it was suitable in 1934 for the particular volume and population of vehicles and drivers. Here it is now, where we have actually over 33,000 vehicles in one single year being registered, obviously we have to make major changes to the way in which we do business.

Mr. Speaker, despite the several amendments, the current legislation has proven woefully inadequate to meet the present demands of the citizens. It is in this regard, this administration in remaining committed to the citizens of this country, and in keeping with pillars 1 and 3 of the manifesto of the People’s Partnership. Pillar 1 refers to people-centred development, where all of our citizens can make a valuable contribution to aspects of national life.

In this regard, Mr. Speaker, we have held consultations with the national community on this significant piece of legislation, and this has afforded us the opportunity to benefit from the input from various sectors of the national community, and has proven to be very instructive in formulating this Bill.

I would like to inform the House that the public consultations were held both in Trinidad and in Tobago. Pillar 3 refers to the question of national and personal security. This as we all know is a critical area of concern for the Government, as it impacts the maintenance of law and order, and national peace and prosperity.

I am pleased to point out, Mr. Speaker, that this Bill will enhance the safety and security of all our citizens. Many serious crimes more often than not involve the use of some mode of transport. Some examples of these, of course, will be the transportation of drugs, drive-by shootings, robberies, gunrunning, car stealing, all connected with vehicles.

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Of course, we have the other infractions committed on the nation's roads such as speeding, breach of traffic lights and dangerous driving. The new security measures which I would elaborate on later in my presentation, will go a long way in, first of all, curbing some of the serious crimes, as well as assisting with the detection of crimes committed.

During the recent past, there have been several calls by various sectors of our society, including NGOs, such as Arrive Alive and Citizens Against Dangerous Driving. I want to mention in particular, Mrs. Sharon Inglefield and Mr. Mahendra Maharaj, who both, under tragic circumstances, have become very involved in both Arrive Alive and the Citizens Against Dangerous Driving. Others would be the National Centre for Persons with Disabilities and their associates—Dr. Beverly Beckles heads that—as well as organizations such as the Automotive Dealers Association of Trinidad and Tobago, Trinidad and Tobago Used Car Dealers' Association, Maxi-Taxi Association and many other business associations.

Mr. Speaker, the Bill has many facets and provides for several aspects of road usage, as will be demonstrated as I proceed. However, certain critical elements of this legislation deal with the question of road safety, and it must be emphasized that the continued annual statistics of both fatal and vehicular accidents, resulting in severe injury, continue to be a source of grave concern for this administration.

This administration, upon its assumption of office, in recognizing and demonstrating concern for the then high road fatality statistics, by Cabinet Minute 3209 of 2011, established a Trinidad and Tobago National Road Safety Council under the Ministry of Transport. The function of the Council includes, but it is not limited to, to hold key responsibility for developing the Road, Injury and Prevention Policy for Trinidad and Tobago, and to be responsible for setting quantitative road safety targets for the country. This council has shown success in its efforts thus far, as demonstrated by the recent submission of the draft Road Injury and Prevention Policy for Trinidad and Tobago.

I refer to the fatal road traffic accident report dated December 18, 2014, prepared by the Trinidad and Tobago Police Service. It reflects the following: in 2010, there were 206 fatalities; 2011, 186 fatalities; 2012, we had a slight increase, 196 fatalities; 2013, that dropped then to 154; and in 2014, there were 165 fatalities. These figures show an average of 20 per cent reduction during the period 2010 to 2014. So here it is again, this administration is proving that we can bring these negative statistics, we can bring them down. So we had a 20 per cent drop in road fatalities between 2010 and 2014. Notwithstanding the decrease, one

fatality annually is considered one too many by this administration. I keep reminding the population, Mr. Speaker, that 1958 was the last time that road fatalities were below 100. So we have a little ways to go.

I am advised by the personnel of the Association of Trinidad and Tobago Insurance Companies that, for the year 2014, the number of claims made on road accidents totalled 47,200 claims. The payments made in relation to these claims amounted to TT \$623 million; TT \$623.3 million was paid out in claims, for the total of the 47,200 claims in 2014 alone.

So, while costs incurred by the insurance companies are of a particular concern, one must also consider the costs incurred upon the State, rendering medical treatment to victims of accidents, which that \$600-plus million claim does not take into consideration, the trauma experienced by relatives of victims, the dollar value associated with the loss of work time, and a series of other losses incurred as a result of vehicular accidents, resulting from excessive speed, driving under the influence of alcohol, and driving and talking on mobile phones, just to name a few. All stakeholders, therefore, have a vested interest in its reduction, not only from an economic standpoint, but in the interest of preserving the lives of our youth, family life and most productive minds and bodies of the national population.

Mr. Speaker, one must recognize that the reduction in road fatalities from 206 in 2010, to 165 in 2014 did not occur by chance. Rather, this was only achieved through the concerted efforts of this administration. Such efforts include: the installation of cable barriers along our nation's highways—and thanks to the Minister of Works and Infrastructure—[*Desk thumping*] improved lighting along our highways; establishment of surveillance bays along our nation's highways; the increased number of highway patrol vehicles. We have 99 new highway patrol vehicles and SUVs, and over 63 new motorcycles; the increased number of police officers on the roads; the strengthened enforcement policies.

Mr. Speaker, over 250 breathe alcohol technicians have been added to the strength of our counter-driving under the influence efforts in 2014. Two hundred and fifty extra technicians and the establishment, of course, of a traffic branch DUI task force. Also, public awareness, outreach and education programmes designed to engender greater road safety habits among our population, inclusive of—there is a new, recently launched by the Trinidad and Tobago Beverage Alcohol Alliance, and it is dubbed, “Who Will Be Driving You Home”, and I am pretty sure many of us have seen those ads in the newspapers. Of course, the Trinidad and Tobago Police Service have their “I Road Safe” campaign, and all of these in

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collaboration with the National Road Safety Council, Arrive Alive, Australian High Commission, BHP Billiton, Trinidad and Tobago Automobile Association, the Trinidad and Tobago Cycling Federation and ATTIC.

As part of the strategy to combat deviant and dangerous road use, the Trinidad and Tobago police highway patrol vehicles were branded to introduce UK and European—what is known as the Battenberg style delivery, specific for high visibility for road patrolling operations. I am pretty sure that all of us who drive on the highways, we see these vehicles on the roads now. Anytime of day or night, you are going to see these highway patrol vehicles very, very present on our road system.

Permit me to spend a little more time on the question of crime, and how the provisions in this Motor Vehicles and Road Traffic Bill will have a positive impact on crime detection and reduction. Upon implementation of this Bill, all data pertaining to drivers and vehicles which the Motor Vehicle Authority will be in possession of, shall be shared with the TTPS.

The registration plates of vehicles shall be outfitted with certain security, inclusive of RFID, which is radio frequency identification tags. So upon stopping a vehicle, the police officer may, by use of a scanner, scan the plates of the vehicle and all the details relative of that vehicle, would be displayed on the officer's on-board computer. Additionally, police officers will be able to scan the drivers' licences, and similarly all the details relative to the driver will be displayed on the officer's on-board computer. Upon the display of the driver's details, the police officer would be able to determine whether or not the driver is someone of interest, for whom there are outstanding warrants, or who have outstanding unpaid fixed penalties. This system would immediately alert police officers as to whether or not the vehicle being driven and scanned is genuine or otherwise fraudulent. This system is intended to act as a deterrent to would-be offenders, and to increase the detection rate of crimes through improved technology.

Mr. Speaker, I now turn my attention to the contents of the Bill. This is indeed a revolutionary piece of legislation, which seeks to initiate a major transformation of the licensing and verification regime as we know it today. It is for this reason that we are repealing the pieces of legislation I alluded to earlier on, by introducing this Bill to the Parliament today. Given the number of clauses within this Bill, all 272 of them, it is indeed impractical to go through the Bill clause by clause. It should be noted that the first reading of this Bill was on November 19, 2014. It is reasonable to infer that Members would have familiarized themselves

with the Bill between then and now. In this light, I would address this honourable House on the various clauses, which are designed to bring about major changes in order that the existing inadequacies of the law be treated with.

Part 1 of the Bill deals with preliminary matters, inclusive of the short title, commencement and interpretation. I begin by making reference, for instance, as an example to clause 4 which provides for various interpretations of terms used in the Bill. One example of that is the Bill defines the term “chartered vehicle”, as meaning:

“...a hired vehicle other than a hiring car, maxi taxi or private school bus with seating accommodation for eleven or more passengers...”

**6.45 p.m.**

Comparatively the current legislation makes no provision. So what is so important about that? In the absence of provisions for chartered vehicles, the registered owners of such vehicles, for example a stretch limo which is for hire, have been faced with no other choice but to register those vehicles as regular taxis.

Upon the passage and enactment of this legislation, no longer will persons invest hundreds of thousands of dollars and be allowed to carry no more than eight passengers as the vehicle can only be registered as a hiring car. So owners will then be able to enjoy the full benefits for which the vehicle was purchased.

Part II of the Bill provides for the establishment, functions and powers of the Motor Vehicles Authority and while the existing legislation provides that the Transport Commissioner is the licensing authority, the Bill at clause 6 establishes the Motor Vehicles Authority and further provides for a board of directors at clause 10.

It is to be noted that no longer would major decisions be made by one office holder, namely the Transport Commissioner. The MVA will be run by a board comprising nine persons appointed by the Minister with responsibility for transport. These Members will include personnel from different disciplines, namely finance, law, automotive engineering, motor insurance, traffic engineering and business representatives.

Part III of the Bill—let me just go back to that. Where it is that you hear constant complaints of issues not being settled, you cannot even talk to the Transport Commissioner, you write the Transport Commissioner and there is no reply, et cetera, there is not going to be a single entity that you go to. The board will be dealing with these issues.

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Part III: this part provides for staffing of the authority and allows for the Chief Executive Officer with the approval of the authority to engage persons on contract to perform specific tasks. Clause 24 provides for the appointment of a registrar of motor vehicles. Clauses 26 and 27 provide for options available to existing public officers.

Mr. Speaker, the authority shall engage in extensive consultation with existing staff and their representatives. The structure of the authority will create numerous employment opportunities too many people. There will be comprehensive training programmes to ensure deep knowledge of programme content, as well as development of a service culture which requires the staff to really and truly live under the umbrella of the MVA.

Part IV provides for enforcement of administration. Clause 29 outlines the powers, authorities and privileges of the registrar and motor vehicles enforcement officers.

Part V provides for financial provisions. Clause 37 provides for the use of funds and resources of the authority. Clause 37(2) provides that the authority may pay for operating expenses including remuneration fees and allowances of members of the board and committees, capital expenses, any dues or charges and any other expenses which are lawfully related to the authority from the funds and resources of the authority.

Such ability on the part of the authority takes away the constant need to approach the Ministry for approval for spending, which is indeed time-consuming and results in undue delays. As in all statutory bodies, the authority will become required to comply with the Public Procurement and Disposal of Property Bill, 2014, once proclaimed.

Part VI: this part deals with the issuance of drivers' licences. I must point out that the Bill imposes a number of restrictions on a newly licensed driver for a period—and I am going to correct what is being submitted. It is actually for a period of one year from the date of issuance of the driver's licence. It says two years in the Bill that is being presented. We will amend it to a period of one year.

The age for application of a driver's licence remains at 17 years old. A newly licensed driver should be accompanied by a driving supervisor. A driving supervisor means an experienced driver who is the holder of a valid driver's licence for a period of at least five years. So it is not an officer from the authority, but it is any person who would have held a driving permit for five years.



This newly licensed driver shall not drive or operate a vehicle between the hours of midnight and 5.00 a.m., subject to exceptions. Of course, there will be exceptions: people who have to go to university and maybe have to leave home at four o'clock in the morning to get there, or a medical situation at home. There may be exceptions for that.

What we are trying to do is to ensure that when people get their first year of driving that they are very, very familiar with the roads; that they know how to deal with situations on the roads and, again, not to be out at three o'clock in the morning driving. We feel it is better that you have at least one year under the belt before you do that.

In fact, Mr. Speaker, over one-third, actually 37 per cent, of fatal accidents occur between midnight and 5.00 a.m. There is a real reason for that. A newly licensed driver certificate shall be displayed on the windshield of the vehicle being driven or operated. A newly licensed driver, within six months from the date of issuance, must be enrolled in an approved driver education course and the newly licensed driver, whilst driving—and this is very, very important—or operating a vehicle shall have a zero blood alcohol level. So, for your first year of driving a vehicle, of getting your licence, you will not be allowed to register any alcohol in your blood. Zero tolerance for that.

Comparatively, the existing legislation imposes no restrictions on a newly licensed driver. Whilst it is acknowledged that certain challenges may be experienced owing to restrictions, it is all geared towards improving safety on our nation's roads.

Reference is made to, again, the *Fatal Road Traffic Accidents Report* dated December 18, 2014, prepared by the Trinidad and Tobago Police Service, which reflects the age range of drivers at fault being of the age group 18—24 years, accountable for approximately 18 per cent of the total number of fatal accidents which occurred during 2014. So we do have the data to prove that young inexperienced drivers actually account for 18 per cent of road fatalities and we cannot allow these young people to be out and about without proper direction and education.

Clause 52 of the Bill provides that the applicant for a learner driver's licence must submit himself to an appropriate vision test and knowledge test on the rules of the road and upon successful completion of both, then only shall the applicant be issued the same. It is to be observed that unlike what entails under the existing legislation, an applicant for a learner' driver's licence must first pass a knowledge

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test on the rules of the road, road signals and road signs before being issued with such a learner driver's licence. So we are doing it the other way around.

This knowledge test will now be done electronically. No longer do you go in and you get the little book and you have to sit down in a room; you have to wait for your batch to come and you sit down there with your pen and you ticking off and what have you. You just go to a computer terminal and you just do what is known as the regulations test. It will be a random test. You just sit and do it. The computer will tell you whether you have passed or failed.

This process guarantees knowledge of road signs by the applicant before being allowed to drive a vehicle on the road and this approach is geared towards reducing the number of accidents and increase road safety on our nation's roads.

Clause 16 of the Bill provides for the award of penalty points in relation to the particular offences committed. The legislation provides that the authority notify the errant driver on acquisition of half the amount of allowed points. The clause further provides for the suspension or, alternatively, the revocation of the driver's licence depending on the amount of points awarded to the holder of the licence. This particular provision is expected to act as a major deterrent to errant drivers and, ultimately, improve on our road safety within our jurisdiction.

So you continue to be delinquent, you continue to speed, you continue to drive recklessly, you have to be brought to account. The people who are driving safely on the roads, you cannot have these people who just constantly intend to break the law and have them using the same roads that we are using.

So when you reach half way, if it is a 10-point system, when you reach five points, the authority is going to inform you: "Boss, you have five more points; you either correct your errant ways or when you reach 10, we deal with you after that."

Part VII: this part provides for the registration and certification of vehicles. Clauses 77 and 78 provide for temporary permits and in-transit permits. This will allow individuals the opportunity to apply for and obtain individual permits in relation to vehicles brought into the country. No longer will there be a need to engage the services of a wrecker or, alternatively, to breach the law by borrowing a dealer's number plate from an established dealer.

So if you import your own car and it arrives on the port, you can go to the Licensing Office, you apply for a permit to transit the car from the port to your home or business place and then when you are ready to carry it down to the Licensing Office for it to be properly registered, you use the same permit to do

that one-day run down to the Licensing Office. Right now, it is less well established I should say.

Clause 29 provides for the tagging of vehicles at the point of entry into the jurisdiction. The benefit from this measure is that it will ensure that an accurate database is maintained. Additionally, it would prohibit any later fraudulent transaction relative to the registration of vehicles as the details of each vehicle will be installed electronically upon entering the jurisdiction.

This is where we are working, where we tie in with the Ministry of Trade and this is where the Ministries are working together. So the single electronic window, we are going to use that system to tag the vehicles, so when the vehicle carrier arrives at the port, which is maybe twice or three times a month, and offloads how many thousands of vehicles, as soon as those vehicles arrive there, before they leave the port, we tag them, we take, if you want to call it, the DNA of the vehicle. That goes into the single electronic window system and it is forever in that database.

So you cannot come afterwards, fellas in a garage at home making up a car, people importing a chassis on one side and importing the wheels and the engine on another container, bringing it together and making up a car. If that vehicle did not come through the port with the DNA being taken at the port, then you will not be in a position to license that vehicle.

Clause 90 mandates that an insurer notify the authority of a vehicle involved in an accident where there is constructive or total loss. This will prohibit fraudulent transactions that may occur in the process of repairing vehicles that have in fact been categorized by insurance companies as being a total or constructive loss.

Additionally, upon receipt of the information that a vehicle has been deemed a total or constructive loss by an insurance company, the authority shall deregister that vehicle and the record shall reflect same. And there is a penalty for non-compliance by an insurance company by not informing the authority that the vehicle has been written off.

Clause 93 prohibits the driving or operation of a vehicle on a road or highway unless licence plates have been issued by the authority in relation to that vehicle. Plates with RF ID tagging are to be used only by the authority. Each plate will carry security features that will allow for enforcement officers to be able to determine all the details in relation to a particular vehicle by the use of a scanner. The security features will assist in the detection of any vehicle which may be fraudulently registered and also assist in the introduction of criminal activity.

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So no longer, Mr. Speaker, will people be borrowing a number plate and putting it on a vehicle. All of that is going to be something of the past. When we speak of crime and fraud, et cetera, in the system that is where it starts.

Statistics received from the Trinidad and Tobago Police Service, as far as last year, motor vehicles:

2009, 1,658 vehicles were stolen;

2010, 1,328—so we had a drop;

2011, 848, that is nearly half of what we had in 2009;

2012, 1,063;

2013, 1,051;

I am pleased to report that it is encouraging that in 2014 the total vehicles registered as stolen, 742. So we have gone from, in 2009, 1,658, down to 2014, 742—half. So when this administration speaks about a drop in crime, there is a drop in crime. You have more than half the vehicle thefts and, with this new system that we are putting in, we would like to believe that that will drop to a fraction of that 742.

Mr. Speaker, from the above figures, it is to be noted that there was a decrease in the reports of last year motor vehicles and this is the actual percentage: 55.2 per cent drop from 2009 to 2014 and, again, that did not happen by chance. It is envisaged that upon implementation of this Bill and with the new security features on licence plates, the number of larceny of motor vehicles is expected, as I said again, to be further reduced.

**7.00 p.m.**

Mr. Speaker, Part VIII, this part provides for the issuance of parking permits for persons with disabilities. I want us to understand what we are doing here. Clause 105 defines who is a person with disabilities. An amendment would be circulated amending the term. The term that is used in the circulation of this Bill is “differently-abled persons”. I want to apologize to that community. That is not the term that should be used. That was a term that was developed by Trinidad and Tobago, I think in 1990-something, and it is not the recognized term. The term now is “persons with disabilities”. We do have a letter from the National Centre for Persons with Disabilities that outlines all of that.

Clauses 106 and 107 provide for the application of an issuance of a parking permit to a person with a disability. This is, indeed, a first within our society and is geared towards removing discrimination of and empowering mobility among

persons with disabilities. It is the intention of this administration to ensure that the relevant authorities from the various cities, boroughs, regional corporations and the THA provide sufficient parking space for persons with disabilities.

It is recognized that the Town and Country Planning Division in its building regulations mandate that parking spaces shall be provided in all public buildings for use by persons with disabilities. What we will be doing there, Mr. Speaker, the persons with disabilities will apply for parking hangers that they will be using when they are using a vehicle to go to a particular public building and, therefore, they would be allowed to park. In some of those public buildings we see the blue area with the imprint of a wheelchair on it, and that is parking for persons with disabilities. So, it would be an offence now, if you do not have a parking hanger or you are not a registered person with disabilities, and you will be charged for parking there.

Part IX, this part provides for safety and other requirements for motor vehicles. Provisions are made in clauses 112 to 115 regarding the installation of and wearing of seat belts. Whereas the existing legislation mandates the wearing of seat belts by the driver and the front-seat passenger, clause 114 mandates that every passenger in all vehicles must wear seat belts [*Desk thumping*] whilst the vehicle is in motion, subject to certain exemptions. Right now, Heavy T drivers are not required to wear seat belts. Okay? Police officers in a patrol car are not required to wear seat belts and, therefore, this would change because we have to do something about road fatalities.

And, of course, the National Highway Traffic Safety Administration, which falls under the US Department of Transportation, in its report dated November 2013 states that 12,174 lives were saved in 2012 by virtue of persons wearing seat belts. So, it is proven. You hear people arguing the point it does not fit well, it does not do anything, it does not look good—whatever other stories—the fact of the matter is that seat belts save lives, and we are going to make it mandatory that all passengers in all vehicles will be wearing seat belts, with exceptions. The same report also reflects that research has found that lap and shoulder seat belts when used reduce the risk of fatal injury to front-seat passenger occupants by 45 per cent, and the risk of moderate to critical injury by 50 per cent.

During the period 2010 to 2014—and, again, these are figures from the Trinidad and Tobago Police Service—10 children under the age of four lost their lives in vehicular accidents and, therefore, clause 114 provides that the child must be properly restrained in an approved child-restrained seat. Again, no longer are

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we going to see children sitting in-between the two front seats of a vehicle beating around in the front there with no restraint whatsoever. Children will be restrained. I want the population to remember, 10 children lost their lives, under four years old, 10 children. These children had no say in where they sat; they had no say in speed; they had no say where the car was going, nothing like that and, therefore, we will protect these children.

Mr. Speaker, Part X, this part provides for the registration of persons trading in vehicles. Clauses 117 to 130 provide for the application, issuance, renewal, suspension, and revocation of the Vehicle Traders Registration Certificate and Vehicle Trader Registration Plates. Within the recent past, there have been several complaints of victims of fraud who have unsuspectingly paid huge sums of moneys to individuals posing as vehicle traders only to find themselves being conned out of their hard-earned money.

Additionally, this would also ensure that the vehicle traders are legitimate and would act as a safeguard mechanism to perspective purchasers, given that vehicles that have been purchased are in certain instances fraudulently registered.

Mr. Speaker, I draw reference to one article in the *Trinidad Guardian* dated October 25, 2011 and the headline is “No bail for businessman on 152 car theft charges”—152, one fella. They are conning people. They say: “Yes, geh meh \$60,000 down payment and ah will bring de car fuh yuh”, eight months down the road you cannot find the people, they have no address. I mean, I think people need to be far more aware that you just do not give people—you just do not go and give a stranger money at all under any circumstances. What we are doing is, we are making sure these dealers are, in fact, registered.

Part XI, this part provides for the registration of persons engaging in the business of leasing vehicles and the issuance of a Vehicle Rental Agency Registration Certificate to such persons.

Clauses 132 and 143 provide for the application, issuance, renewal, suspension and revocation of the Vehicle Rental Agency Registration Certificate. While these provisions mandate the registration of and accountability by the rental agency, a dual purpose is served in the fight against crime. Most, if not, as I said before, all crimes committed engage the use of a motor vehicle.

Mr. Speaker, in several instances, the offender proceeds to rent a vehicle from an individual who is unofficially operating as a rental agency. The offender proceeds to attach fraudulent plates onto the vehicle and uses same as his means of transport to get to and from the crime scene. With no legislation controlling so-

called rental agencies, police investigators find themselves being unable to proceed further with the investigation.

It must be noted that the initial registration of the vehicle is, in fact, for private use and insurance paid in relation to the vehicle must also be for private use. When a vehicle which has been registered for private use is rented by the owner, he commits the offence of using the vehicle contrary to the registration. In addition, the owner breaches the conditions under which the vehicle is insured. It is envisaged that after the passage of this Bill no longer would police investigations be faced with such challenges.

Mr. Speaker, Part XII, this part provides for the certification and operation of fleet management facilities. This is convenient for the owner of a major fleet as he is not required to have vehicles inspected at the authority; rather it can, in fact, be conducted on his premises. This would reduce the quantum of vehicles having to be inspected at the premises of the authority, thereby reducing any backlog and increasing the efficiency at which inspections are to be conducted at the authority. So, again, where you have the long lines of trucking companies, et cetera coming in to get vehicles inspected and registered, the authority will make provisions to go to the various yards to have it done.

Mr. Speaker, Part XIII, this part provides for the certification and operation of vehicle inspection centres. This administration recognizes fully that several proprietors have made huge investments in the establishment of vehicle inspection centres. In this regard, it is to be observed that there are no drastic changes regarding the certification and operation of vehicle inspection centres. In fact, the vehicle inspection centres will actually play a major role in the vehicle re-registration exercise that would be required under this legislation.

The 730,000 vehicles that I mentioned earlier on, every single vehicle will have to go through a re-registration exercise, and we have provisions for that.

Part XIV—[*Interruption*]

**Mr. Speaker:** Member for Diego Martin Central, we are having our own event, fete. Listen to the hon. Minister, please.

**Hon. S. Cadiz:** It may be that they have no interest whatsoever in road safety.

So, under part XIV, this part outlines the requirements to operate hired vehicles. It provides for the application, issuance, renewal, suspension, revocation of maxi-taxi ownership permit and maxi-taxi operators' permits. This part also

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provides for applications for issuance of suspension, revocation of private school bus ownership permits.

Mr. Speaker, the Government is very well aware of the hardships faced by commuters in accessing transportation especially in rural areas, and while we have provided some services to these areas through PTSC, there still remains a deficit in terms of accessing adequate transportation services in these areas. I want to give the assurance—[*Interruption*]

**Mr. Speaker:** Hon. Minister, you have six more minutes.

**Hon. S. Cadiz:** Okay. Thank you. I want to give the assurance that this administration is actively addressing these concerns through ongoing discussions with providers of alternative transportation services in a bid to provide solutions to this problem. I speak of the other unofficial mode of transport known as “PH”.

Part XV, this part provides for the registration of driving schools and for testing of drivers. It is well recognized that safety on our roads, as a driver, begins when an individual is issued with his or her learner’s permit. The existing legislation does not, in any way, afford the licensing division the opportunity to determine whether a particular driving school or a particular driving instructor meets the requirements. We will be working closely with the Ministry of Tertiary Education and Skills Training in developing training programmes for the certification of driving schools and driving instructors.

Part XVI speaks to legislation for speed detection devices—I am running out of time so I would just run through that very quickly. The speed detection devices, of course, we passed that last year and we are in the process of finalizing the purchase and implementation of those speed detection devices.

Part XVII: this part provides for alcohol and drug-related offences. I know a lot has been said about that, and there is more to speak to on the issue of drunk driving, et cetera. But, again, recently we upped the fines, up to \$22,500 for a second offence. I, again, call on the magistrates to—as I said the other day—throw the book at these people. You catch them drunk driving, deal with them.

Part XVIII, the issuance of fixed penalty notices, again, we speak with reference to clause 223 which allows—it is important here Mr. Speaker—for the payment of a fixed penalty, not only to the clerk having jurisdiction in the district to which the offence is alleged to have been committed, rather this clause now allows for the payment of a fixed penalty to any clerk at any Magistrates’ Court within Trinidad and Tobago. So if you get caught in a violation in Toco, you do



not have to go back up to Toco to go and pay your fine. [*Desk thumping*] I would just skip very, very quickly.

Part XIX, again, that deals with the court to convict for various driving offences.

Part XX, again, it allows for the establishment of an Appeals Committee whose responsibility shall be to hear and determine appeals and to review decisions of the authority. The Appeals Committee shall comprise an attorney-at-law and four other persons with knowledge and experience in the following areas: land, transportation, medicine, automotive engineering, industrial relations and management. Again, this is something we did not have before. You had to go to the single person, the Transport Commissioner, now you can go to the Appeals Committee.

Part XXI, again, allows for certain general offences, et cetera.

Part XXII, in fact, outlines the miscellaneous aspects of the Bill such as recovery of damage to road, bridge, traffic lights, et cetera and the liability of Common Law and regulations that the Minister may make. The Minister of Works and Transport would be very interested in that because when you drive into his guard rails and his cable barriers and damage them, he needs to have funding to be able to repair all of these.

So, Mr. Speaker, this is an excellent Bill that has been brought to the House. This is a game-changer for Trinidad and Tobago and I really and truly look for support from all Members of this House in really and truly bringing Trinidad and Tobago into 2015 and beyond with a very modern and very efficient workable Motor Vehicles and Road Traffic Bill.

Mr. Speaker, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

**7.15 p.m.**

**Mr. Speaker:** The hon. Member for Diego Martin North/East. [*Desk thumping*]

**Mr. Colm Imbert** (*Diego Martin North/East*): Thank you, Mr. Speaker. Mr. Speaker, there is only one clause in this Bill that has any merit—one—and that is clause 2, which reads as follows:

“This Act comes into operation on such day as may be fixed by the President by Proclamation.”

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And I can assure you that day will never come, Mr. Speaker. This is the worst, most badly drafted, most incompetent, most irrelevant, most inappropriate, most absurd piece of traffic legislation I have ever seen in my 24 years in public life, Mr. Speaker. [*Desk thumping*] It is absolutely ridiculous.

Mr. Speaker, what bothers me in particular is that this particular Minister, he just talks, and, you know, while I was listening to him—[*Interruption*] That is a calypso, apparently. [*Laughter*] As I was listening to him, I said let me just do a little search on the Internet and see what kind of things this hon. gentleman has said since he took over the transport portfolio, the promises he has made, the empty promises, the idle and vacuous boasts that he has made and let us—we do not have to go far, you know, let us go back to November 21, 2013, and we have an article in the *Express*:

“Cadiz: Speed guns coming next year in a bid to curb reckless driving on the nation’s roads, speed guns are expected to come into effect by February”—of—“next year...”

**Dr. Browne:** What year was that?

**Mr. C. Imbert:** 2013. And the hon. Minister opposite had told the nation and boasted that speed guns, speed measuring devices would be in effect in February of 2014. Mr. Speaker, February of 2015 is when? Next week. One year, not a speed gun, not one. But apart from that ridiculous statement, Mr. Speaker—and this was the hon. Minister speaking at the post-Cabinet press conference on November 20, 2013. We are talking about November 2013, but let us go now to what he said after that. So he came to the Parliament, sometime after that, and I now go—I fast-forward to— [*Interruption*]

**Dr. Moonilal:** “You eh making no sense yet, you know.”

**Mr. C. Imbert:** No, this is the introduction, just keep quiet and listen.

On March 22, 2014, which would have been one month after these elusive speed guns were going to come into operation, the Minister told us, and this a *Guardian* article now, Mr. Speaker:

“Speed trap operations soon to be in force, will pinpoint any jamming or scrambling device used by motorists to block speed traps...”

It goes on and on and on:

“Cadiz made the point during yesterday’s session in the House of Representatives, Tower D, Wrightson Road...”

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March 2014, almost a year ago. So, 2013, he said it coming in 2014; 2014, he said it reach, and [*Laughter*] Mr. Speaker, I have to be in this House and listen to this Minister bring a Bill to amend the Motor Vehicles and Road Traffic Act to allow for the use of speed measuring devices, a very badly drafted legislation as it were, go through all that “tra-la-la”. We assisted the Minister by tightening the legislation, what has happened? Now he comes six months later or nine months later and he repeals the amendment that he made to the Motor Vehicles and Road Traffic Act and we are back to square one again, back to square one—square zero.

Now listen to this, I just heard the Minister say, I took a note, that this Government, his Government, is working assiduously to deal with the problems of transportation in rural areas where you have unofficial transport providers, better known as PH, and that they are working assiduously to deal with this issue and they want to give the assurance, and he will ensure that proper arrangements will be put in place to deal with informal transport providers, especially in rural areas. He just said that. Let us see what he said—I have here a *Guardian* article, April, 2014:

“PH drivers getting out of hand”—Cadiz

PH taxis are ‘getting totally out of hand’”—said Minister Cadiz—“and he has to put a stop to them.”

That was his boast in April 2014. What has happened between April 2014 and January 2015? The number of PH drivers in Trinidad and Tobago has skyrocketed. There are now thousands and thousands. He spoke about 700,000 registered vehicles, Mr. Speaker, I dare say 50,000 of those are unregulated PH drivers which his administration has done absolutely nothing to deal with except talk, talk, talk, talk.

Mr. Speaker, his predecessor in 2012—and this was after draft regulations had been prepared by the Ministry of Works and Transport prior to the advent to this excuse for a coalition Government—his predecessor in 2012 published proposed draft regulations for PH driver/operators for public comment. Three years ago, Mr. Speaker, they published draft regulations, and it goes on:

“The Ministry of Works and Transport has noted with concern the proliferation of ‘PH’ taxis on the roads in Trinidad and Tobago.”

We recognize the—“situation”—arises—“from...inadequacies in the transportation services provided by the Public Transport Service Corporation, Maxi-taxis, and Hired Motor Vehicles.”

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It goes on and goes on, and says that:

“After several discussions and consultations with”—taxi drivers and other—  
“Associations...the Ministry of Works and Transport has decided to give due  
consideration for formulating a regulatory framework under which ‘PH’  
drivers can operate.”

Three years ago they said that. They published draft regulations. What they  
did? Zero. Nothing. Nothing. Nothing, Mr. Speaker, absolutely nothing. And in  
2015 this Minister comes and says, “I want to give the assurance that we are  
working assiduously to deal with the problem of PH drivers”.

There is nothing, nothing in this disgrace of a Bill that deals with informal or  
unregulated PH drivers, absolutely nothing, Mr. Speaker, except it is a disgrace.  
This Bill is a disgrace. I did not say the Minister was a disgrace, you know, it is  
the legislation that is disgraceful. There is nothing in this legislation to deal with  
PH drivers, the proliferation, and the 50,000-odd PH drivers outside there.  
Absolutely nothing.

All the Minister has done is regurgitate and repeat what is in the existing law  
that if you are found driving a vehicle for a purpose other than which it is  
intended or registered, you are subject to a fine of \$8,000. That is in the existing  
law. That was put into law in 2010. They repeat it five years later, the same thing,  
that if they catch you driving a vehicle, using it for a purpose for which it is not  
registered, you will get a fine of \$8,000. But there is nothing in here to address  
this problem that this Parliament recognized.

When I amended the Motor Vehicles and Road Traffic Act in 2010 we had  
extensive debate on the informal transport system that exists in rural areas and in  
areas off the beaten track where there were all of these unregulated drivers, and  
we agreed, as a Parliament, Mr. Speaker, that within a six-month period we would  
deal with unregulated drivers. Five years later, after publishing regulations, after  
talking and talking and talking, the Minister brings a Bill which repeals the  
present law and puts nothing in place to deal with PH drivers.

He said he had consultations—[*Interruption*] Mr. Speaker, would you ask the  
Member for Caroni East to be quiet? Mr. Speaker, I am seeking your protection.

**Mr. Speaker:** Yes, you have my protection. Please.

**Mr. C. Imbert:** Here I have a news article, April 2014—the Minister said he  
had consultations, I wonder who he consulted—the headline is “PSA Vex”:

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*“The Public Services Association claims it has not been consulted by the Transport Ministry concerning plans to set up the Motor Vehicle Authority. PSA President, Watson Duke, made the comment at the third consultation on Motor Vehicles and Road Traffic Bill held by the Transport Ministry at NAPA...*

Mr. Duke described the development as disturbing.”

Mr. Speaker, the Minister cannot even spell the word “consultation”, or if he could spell it he does not know what it means because, if at a consultation one of the major stakeholders tells you that he represents public servants who have not been consulted, before you go out to the public, then it is not a real consultation, Mr. Speaker.

So the PSA, what do they have to say about this, because I noticed in this Bill what they have done here is just cut and paste. I noticed in this Bill the usual thing, that persons have an option to remain in the public service, be seconded to the authority or leave, resign and leave, and you could only remain in the public service if a post, equivalent to your post, is maintained on the establishment of the public service. So what are they going to do? Create the Motor Vehicle Authority and abolish all the public service posts and then create one bacchanal as we have had in the RHAs now for 20 years? The Minister of Health could talk to you about that. Minister Eckstein passed the RHA legislation in 1994.

In 2014 and 2015 we are still dealing with this issue of public officers who do not wish to leave the public service and want to remain in the public service in the health sector and do not want to become employees of the regional health authorities. And there is a reason for that, because public servants are protected under the Constitution and, as far as they are concerned, they are protected by the Public Service Commission, and there are certain rules and regulations and they are afforded certain protections as public officers. It is not an easy thing for a public officer to move out of the public service into an authority, and you have to have extensive consultation and dialogue and agreement and understanding. The Minister has done nothing, or at least, based on his presentation, he has done nothing. Absolutely nothing, Mr. Speaker.

Here we have as well, Mr. Speaker, the Motor Vehicles and Road Traffic (Miscellaneous Provisions) (No. 2) Bill, 2011, published on the Parliament website, March 19, 2012:

The House of Representatives will soon begin debate on the Motor Vehicles and Road Traffic (Miscellaneous Provisions) Bill, 2011.

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Check what this Bill is all about!

Private PH transportation has become a primary mode of transportation in Trinidad and Tobago.

It never happened. So they laid legislation to deal with the informal transportation system in 2011, they tabled it for debate in 2012, they let the Bill lapse. No debate, not dealing with this burning issue for five years. But let me go now to the Bill itself.

Mr. Speaker, I was speaking to some of the Minister's colleagues and I told them this Bill is nonsense, and they asked me, well, what are the problems, and I said, one of the most absurd provisions is this young driver recently passed provision, Mr. Speaker. Because in this legislation if you get your licence at age 17, for the next two years—the Minister is claiming he is bringing an amendment, but that is only because I spoke to his colleagues and pointed out how it is culturally unacceptable in Trinidad and Tobago to make a person wait two years after they get their driver's licence before they could carry passengers in the vehicle. The Minister has been very economical with his words.

This graduated licence, recently passed licensing, let me explain for the public what this Government is attempting to do in an election year of all years. A person will get his driving permit at the age 17 and under this legislation, until I see an amendment, not until you reach the age 19 would you be able to carry more than two passengers in the car.

**Hon. Member:** What?

**Mr. C. Imbert:** Yes. That is in the legislation, and the Minister was very economical in his presentation, he did not want to tell people that, you know. It is not just that it is the midnight hours, you know; you cannot carry more than two passengers in your car, Mr. Speaker.

Let me go straight to the clause, and I believe that would be in the 40s or the 47s, Mr. Speaker. Let me find it for you. Yes, clause 49:

“...a newly licensed driver shall only be permitted to drive or operate a motor vehicle”—under the—“following conditions:

“there are no more than two passengers including a driving supervisor...”

So you are 17, you have to wait two years—now he is saying one year, it does not make a difference—you cannot carry more than two people in the car. What is

the point of that? All you are doing is creating traffic congestion. You see, Mr. Speaker, I have a problem with the superficiality of approach to certain matters. Why are you restricting the number of occupants to a vehicle simply because the person has only recently passed their driving test? Why you must only have two passengers in the vehicle? Why? What is the explanation for that? And the Minister must tell this Parliament why only two passengers in the vehicle for somebody who just got their licence, Mr. Speaker. Explain!

**7.30 p.m.**

Mr. Speaker, you know, the problem with this Government, they have a Legislative Review Committee which does not function. It does not meet, and when it meets they do not bother to look at anything.

Let us look at the United Kingdom. What are the restrictions on persons who have recently obtained a driver's licence in the United Kingdom? I read:

There are no restrictions on newly passed drivers in England, Wales or Scotland—none.

That is the situation in the United Kingdom. In the United Kingdom, as soon as you get your driver's licence you could drive. You do not have to have one passenger, two passengers, three passengers; you could drive in the United Kingdom.

What happens in the United States? You see, it is a superficial approach. Each State in the United States has different approaches to the way they deal with drivers' permits, and they have something called a "teenage driver" in the United States. Let us take the State of New York for example. In the State of New York, at the age of 16—because the other thing is, when you cut and paste from other jurisdictions, get it right. In the United States you can get a learner's permit at age 16; our country is different. In the United States they allow you on the road at age 16. So 16 years old, eligible for learner's permit; 16 years old with permit, eligible for junior driver's provisional licence. Sixteen in the United States, not 17 as we have here. Seventeen years old with driver's education, eligible for senior driver's licence. What that means is, once you pass a defensive driving test in the United States, at the age of 17 you can have a full licence without restrictions. When you are copying and pasting from other jurisdictions, get it right; it makes sense.

What does the effluxion of time has to do with the capability of a driver? Some young people may get their licence at age 17. They may not own a motor

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vehicle; they may have no access to a motor vehicle; they may never drive. You see, the developed countries have been dealing with these problems for years; they use common sense. So what they do is, if you are a teenaged driver, you are 17 years old, they tell you go and do a defensive driving test. If you pass it tomorrow, you are allowed a full senior driver's licence; you do not have to wait until you are 18 or 19.

In the United States—because I am coming to the other aspect of this—automatically from the time you hit the age of 18—and I am reading—New York senior driver's licence—once you turn 18 years old, the New York DMV will automatically upgrade your junior driver's licence to a senior driver's licence. Your new licence will arrive in the mail. So it is the age; they are looking at the maturity of the person.

In this legislation, let us assume you are one of these people that go for a driving licence at a mature age, you go at age 30—because there are people who do not go for their test at age 17. Some people go at age 20, some people go at age 25, and some people may go as old as age 30. In the United States, once you are over the age of 18, whether you have done your defensive driving or not, they consider that your brain has matured to the point that you are entitled to a senior driver's licence automatically. There is no period for a newly passed driver in the United States, once you hit the age of 18.

So this makes no sense—absolutely no sense. You are telling me now that I am 17 years old, I can go and pass my regulations, get my driver's licence, I pass the driving test and so on, and now I must wait a year or two years, as the case may be, before I am allowed to drive with more than two passengers? Mr. Speaker, what does the number of passengers have to do with my age or when I got my driving test? What difference does it make? If I get into a fatal accident, whether I have two passengers or I have five passengers, “everybody dead”. It is illogical and irrational. There is no thought; there is no logic behind any of this, and it is culturally inappropriate for Trinidad and Tobago. It is inappropriate from a tourism point of view; it is inappropriate from a business point of view.

If you want to put in a requirement that the person must do some sort of defensive driving test, in addition to the test that tests with respect to your knowledge of the rules of the road—because when you go for your driving test, they make you do a three-point turn, they ask you to park and they try to trick you to make you park next to a hydrant or next to a corner, or something like that. They want to see that you know about the rules of the road.



So if in addition to seeing whether you can manage a motor vehicle, they also ensure that you do a defensive driving test—if you are a young person—because I totally oppose it for a mature person—make them do a defensive driving course and test, no problem. But what is this foolishness about I have to wait a year or two years? Suppose employment requires me to have a driver's permit, and requires me to drive for a company and requires me to transport people? I am going to tell my boss, “Ah sorry, ah just get meh licence, I have to wait a year and do all kind of test before ah could carry more than two people in de vehicle”. Foolishness—but that is just one aspect of it.

This legislation contains all of the usual fatal errors that one sees in poorly drafted legislation—and I will start early—all of the usual fatal errors that one sees in poorly drafted legislation.

Let us go now to the beginning of the Bill where it addresses the establishment of the Motor Vehicle Authority; that would be clause 6. What does clause 6 tell us? You see, Mr. Speaker, these people do not learn—they do not learn. For the last five years they have seen authorities and institutions become functus and unable to function, because they do not have a quorum. They do not learn. So they have put in an authority that has no quorum. There is no minimum, there is no maximum. Listen to this:

“The Board shall consist of nine persons and six persons having qualifications representing...

So from the time one person comes off the board, whether through resignation, ill-health or dismissal, the board no longer exists; it is functus. They do not learn. We have seen this throughout the system, both in independent institutions like the Integrity Commission, where there is a requirement that you must have a lawyer, an accountant and so on, and when you do not have that, the commission is functus; we have seen that. And now this Minister, after five years in office, comes with this, so that you have a completely inflexible board; no minimum number, no maximum number, no quorum, nothing; foolishness.

Let me move on. The Minister told us about the reduction in fatalities. Any person with a shred of common sense would know that a reduction in road fatalities in Trinidad and Tobago is directly attributable to the introduction of the breathalyser in 2009, [*Desk thumping*] by yours truly, with the assistance of the Member for Caroni East. I must give credit where credit is due, because we had a very well-equipped joint parliamentary committee, and the Member for Caroni East was able to give valuable input as a medical practitioner. But we went

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through that Bill for a considerable amount of time, and we got it right, and as soon as we introduced the breathalyser, you see a dramatic decline in road fatalities, and it is directly attributable to the introduction of the breathalyser, and nothing else—and nothing else.

**Hon. Member:** He wants to take credit.

**Mr. C. Imbert:** No, no, no; any person—any honest person—will agree that they have never seen more reckless and lawless driving on the roads in Trinidad and Tobago as you see today. “People breaking red light at will; breaking major road; driving on de shoulder; coming in yuh lane; speeding.” Any honest person would admit that you have never seen the level of lawlessness and recklessness on the road, as you see today. There is no enforcement, but the one thing where there is enforcement is the breathalyser, and that is the primary factor that is responsible in the reduction of road fatalities, nothing else.

In terms of the enforcement of traffic laws, be honest, it is ridiculous; it is a jungle outside there. “You driving down de road, man coming at you on the left, man coming on de right, man breaking red light, coming around corner.” It is a jungle outside there. [*Crosstalk*]

Mr. Speaker, let us move on to some other aspects of this legislation which are really bad—really, really, really bad. I have dealt with this newly licensed driver, I think it is nonsense; but let us move on.

Mr. Speaker, you get the impression this Minister is also in the business of empire building. I will caution the Minister, it is a familiar trap. Ministers fall into this trap all the time. Currently, the regulation of the used-car trade rests with the Ministry of Trade and Industry. Why does the Ministry of Transport want to take on the responsibility to regulate the sale—“sale eh”—of used motor vehicles? That is not a function of the transport Ministry. That is a function of the Ministry of Finance and the Economy or the Ministry of Trade and Industry.

This Bill now gives the Motor Vehicle Authority the power to regulate the sale of motor cars. What is the transport function inside of there? None, absolutely none. So all this Motor Vehicle Authority is, is an octopus, because the original Motor Vehicle Authority was an authority that was intended to take over the functions of the Transport Division of the Ministry of Works and Transport, now the Ministry of Transport, essentially the Licensing Office; but it has become an octopus.

So in his quest to build an empire, the Minister is now encroaching on matters of trade, matters of warranty, and matters of purchase, which are not the functions

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of a Motor Vehicle Authority; because in the regulation of the sale of cars, you go way beyond transport functions. It would mean, in this super-authority, you are now going to need a series of professionals who are trained in dealing with the importation of cars, in the inspection of vehicles, in the regulation of the number of cars and so on. That is just one.

The next thing I see this Minister doing, he is not satisfied with taking over the functions of the Ministry of Trade and Industry with respect to the sale of used cars—and I doubt he has had proper consultation with used-car dealers; I doubt it. I doubt they know that they are now coming under Minister Cadiz.

You also have this octopus now deciding that the regulation of car rental will become a function—now what is car rental? Again, that is an industry; it is a business. Car rental is a business. Next thing you want to take over the rental of photocopiers or something else like that. What does the regulation of a business—the business of the rental of cars—have to do with the Motor Vehicle Authority? So the octopus is now growing another arm. It wants to take over car rental. The next thing it would want to take over fleet management, and so on, and so on, and so on. I mean, you want to grab everything.

Look at the bureaucracy you are creating. From a simple Licensing Office, which you cannot manage; from a simple computerization project which began in 2009—which you have fumbled along with for the last five years and cannot finish—you now want to go just from the digitization of records and the computerization of records—which is where the Government and the Minister's focus should be, on completing that project, which is a fiasco—five years and you cannot finish a project that should have been finished in two years—a simple computerization of the records of vehicle ownership and drivers' permits, you cannot do that.

Five years and you cannot put the FID tag that you spoke about in one private vehicle outside there; five years and you cannot promulgate or enact regulations to allow the use of personalized number plates—five years you cannot do that. Five years you cannot establish a new head office for the Licensing Authority—now to be the Motor Vehicle Authority—all of that you could not do in five years, but you want to now create an octopus, which has five to 10 times as much responsibility and would require five to 10 times as much staff as the Licensing Office.

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**7.45 p.m.**

That is why I said, the only good clause in this is the commencement clause that it comes into effect upon proclamation. Because in addition to this inflexible board—which makes no sense—[*Interruption*]

**Mr. Speaker:** Hon. Member for Diego Martin North/East—hon. Members, the speaking time of the Member for Diego Martin North/East has expired. Would you like an extension, hon. Member?

**Mr. C. Imbert:** Yes, Sir.

**Mr. Speaker:** Hon. Members, the question is that the speaking time of the hon. Member for Diego Martin North/East be extended by 15 minutes.

*Question put and agreed to.*

**Mr. Speaker:** Before continuing, hon. Member, there is a Procedural Motion.

#### PROCEDURAL MOTION

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):**

Mr. Speaker, in accordance with Standing Order 15(5), I beg to move that the House continue to sit to consider the Motor Vehicle and Road Traffic (Amdt.) Bill that we are currently debating. I beg to move.

*Question put and agreed to.*

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

**Mr. Speaker:** You may continue, hon. Member for Diego Martin North/East.

**Mr. Colm Imbert** (*Diego Martin North/East*): Thank you, Mr. Speaker. Now, as I said, the Minister and the Ministry cannot finish a simple project to computerise the Licensing Office in five years—“cyar do it”. The records still in a mess down there, but he wants now to get involved in the registration of persons trading in vehicles, the registration of vehicle rental agencies, the certification of fleet management facilities and so on and so on and so on. This will never see the light of day.

To show you how the Government and the Minister has absolutely no clue about what they are doing, I go now to the interpretation section. Right in the beginning of the legislation, to show how they have absolutely no clue of what they are doing—with respect to definitions and that would be clause 4.

In clause 4, Mr. Speaker, you have a number of definitions, but one of them that jumped out at me is the definition of a hired vehicle. At the present time, if I go to the existing legislation and I look and I see what the definition of a “hired vehicle” is, I see that a hired vehicle, a:

“hiring car...”—is a—“...public service vehicle having seating accommodation for not more than eight passengers of a type approved by the Licensing Authority...”

But what is the definition of a hiring car in this legislation? For some bizarre reason, for some bizarre reason the Minister has decided that a hiring car, which is an ordinary taxi, would now be able to accommodate 10 passengers. But his presentation was so concise, he did not tell us why. But he is creating a dichotomy and a conflict that he has no clue. He has no understanding of what he is doing. Because a maxi-taxi is now defined, in this legislation as a vehicle with 11 passengers. A taxi is now defined as a vehicle with 10 passengers.

You know what he is doing? He is now creating a conflict between regular taxi drivers and maxi-taxi drivers. Because if I could now carry 10 people in my hiring car, my taxi, then why would I even bother to go through all the requirements to get a permit to drive a maxi-taxi. Because in order to do that you have to go and apply and they will determine whether there is overcapacity of maxi-taxis in the country, and the Minister will decide—yes, okay, we will register another 100 maxi-taxis, and you have to go in a queue and line up and wait for years and so on, until they decide, all right, you could have a maxi-taxi.

All of us who are representatives would have been visited by maxi-taxi drivers and people aspiring to be maxi-taxi drivers, seeking our intercession in terms of assisting them, you know, making representation with respect to maxi-taxi permits and so on. I would say all good MPs would have been visited by people like that. But it is a long process because you have to a study in terms of the—you know, Member for Caroni East, it is a study in terms of the capacity for introduction of new maxi-taxis and so on. It is a long convoluted process, and usually you have to wait until maxi-taxis are scrapped or retired before new maxi-taxis could come into the system. But now a hiring car could carry 10 passengers.

**Mr. Deyalsingh:** A stretch limo.

**Mr. C. Imbert:** What stretch limo? That is one of “dem white van” outside there. That is just a maxi-taxi with one less seat, and the Member for Mayaro knows that.

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So what is the thought process? What is the thought process? Why have you increased the number of passengers in an ordinary taxi to 10? What kind of vehicle could carry 10 passengers?—only a bus, a minibus. So, you are putting minibus operators in direct competition with maxi-taxi operators and you are requiring much lower standards for mini bus operators than maxi-taxi operators. They will not be regulated in terms that they do not have to have a stripe, they do not have to work in a zone, they will be a regular hired car, because cannot discriminate. Because you are now saying, taxi is up to 10 passengers. So, you cannot tell a man now, you could only drive your taxi in San Fernando. You cannot drive it in Port of Spain. You are going to get a judicial review coming at you. [*Crosstalk*] And the school bus has nine. So, the school has nine, hired taxi has 10, maxi-taxi has 11.

Where is the policy in all of this? Do they discuss these things? Do they want maxi-taxi drivers in an uproar, protesting against this Government in an election year? I have a feeling the Minister of Transport is a saboteur. That he wants to sabotage his own Government. It is just a feeling. It is just a feeling I have, Mr. Speaker. Because you are introducing provisions which are going to create conflict, going to create confusion, going to create argument, protest and fight between maxi-taxi, taxi, Licensing Office, Motor Vehicle Authority and so on. But let us go on.

The Minister has also not explained why he has amalgamated three pieces of legislation. Why have you taken the Motor Vehicle Act, amalgamated it with the enforcement and administration Act and amalgamated it with the Maxi-Taxi Act? What is the point of that? Perhaps the Minister can explain to us why he did that? But, you know, when you cut and paste and you chop and change and you stick things in, you do stupidity, eh.

So, let us go now, Mr. Speaker to another part of this Bill that makes absolutely no sense. I take you down now to the sections that deal with driving under the influence. Those sections are down at the back of the legislation, down in the 200s. You know, any sensible Minister would have put this Bill to a joint select committee. Any sensible Minister would have done that. This is complex legislation. They have made numerous mistakes in it. Any sensible Minister would have drawn upon the collective experience and wisdom of the Members of this House and in the other place, in order to clean up this legislation. Because we all want proper road safety laws. All of us in this country want that. But we do not want bad law, which is what this is. But let us go now to what the Minister is doing in terms of driving under the influence.

Mr. Speaker, he has simply lifted sections from the existing law and put it into this legislation. But the mistake he has made now—in his octopus-like behaviour. You know, I would say more like a hydra—eight heads. He has now decided—*[Interruption]*

**Dr. Gopeesingh:** Mr. Speaker, 48(6).

**Mr. Speaker:** I know you are quite capable of using more elegant language, please. Please. Please.

**Mr. C. Imbert:** Mr. Speaker, this is not intended to be insulting. I am using a reference of a creature with eight arms or eight heads. It is not insulting. If it is insulting, I take it back. But I am talking about in his multi-armed entity that he has created, a multi-headed entity, the Minister is now introducing a situation where, not only would the police officers be testing for alcohol, they will be testing for drugs. But the Minister has because no idea of what he is doing. Because when you have the breathalyser—and we took a long time—you first do something called a field sobriety test. I understand the Member for—that is of great interest to the Member for Cumuto/Manzanilla, what a field sobriety test is. *[Crosstalk]* No. No. No. It is not. A decision has been rendered. A decision has been rendered.

Mr. Speaker, in the breathalyser regime, *[Interruption]*

**Dr. Gopeesingh:** That is 48(6)—

**Mr. C. Imbert:**—when the—no. You do not understand. I am not casting any aspersions whatever. *[Crosstalk]* I am not casting any aspersions. In the breathalyser regime, when the police officers stops you—*[Interruption]*

**Dr. Gopeesingh:** “Breaks for yourself.”

**Mr. C. Imbert:**—he administers a field sobriety test. So, when “yuh smelling of alcohol, yuh wobbling, yuh weaving, yuh slurring yuh words”, these are the signs that you may be under the influence of alcohol. So, they administer a field sobriety test using a device which simply indicates whether you are over or under the limit. How many more minutes do I have, Mr. Speaker?

**Mr. Speaker:** Five.

**Mr. C. Imbert:** Thank you. That is enough. That is enough. So, you do the field sobriety test. It is a simple device that tells if you are over/under. If it indicates that you are over, they carry you to the police station and they do a breath analysis which is a much more sophisticated machine which gives you a

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printout giving you the number of micrograms of alcohol in your breath and so on, which is then used as evidence in a court of law. That is how you get convicted of driving under the influence. It is the printout from the breath analysis machine. But in the field—you have the field sobriety test with the simple instrument.

The Minister is introducing for the first time, a provision where a constable can order you to take a blood test. But you know how he is doing this? He stops you on the road, “he say—boy you smelling of marijuana, boy.” Take a blood test. [*Laughter*] Mr. Speaker, the joke about this thing—to tell you how badly drafted this thing is. He is telling you to go and take a blood test at a place nearby or at the nearest police station. That is to tell you they do not know what “dey” doing.

**Mr. Deyalsingh:** So, police have to be phlebotomists now.

**Mr. C. Imbert:** Police do not know anything about blood test. They are supposed to take you to a medical practitioner, a hospital or something like that to take the blood test. But no. The way the thing reads is that you take the blood test for drugs, eh. So how is this police officer going to know in the first place—you are not smelling of alcohol? You are not wobbling and weaving. How does he know that you are under the influence of cocaine or heroin or marijuana? How does he know? What is he looking for, and he has no field measurement device to determine whether there is an indication whether—and what does drug mean? Because, Mr. Speaker, the Minister of Health will tell you, if you take cough medicine—it has alcohol in cough medicine, you know. This is where this zero alcohol thing is foolishness. There is alcohol in all sorts of medication. All sorts of medication.

**Dr. Gopeesingh:** Not all sorts—most.

**Mr. C. Imbert:** I see the Member for Caroni East has corrected me—in many types of medication there is an element of alcohol. It has an alcohol base. So, somebody may have taken cough syrup. “Dey drowsy”. The police officer says, “Ah boy, Like yuh smoke a joint, eh? Blood test for you. And come to the station and do de blood test, eh.” Absurd. Absurd. This has to go straight back to the drawing board. In the Minister’s haste, in the Minister’s haste to bring this thing in, he has included provisions which make no sense and cannot work. Mr. Speaker, all this has been done before, you know. All of this thing about the young driver and the drug test, all of that has been in the system before. But if you want to do these things, you have to take your time and get it right. You have to get it right.



You know, the Minister boasted about this zero alcohol content for the young driver. But what happens if the young driver just took some cough medicine which has an alcohol content in it, Mr. Speaker, and tests for alcohol? How are you going to know? You know what they do in other countries? They prescribe a lower level of alcohol content for the young driver—.02. In some countries, .03. In some countries for the young driver, whereas the adult is .08—as we have in Trinidad and Tobago; because they use their head, Mr. Speaker. They use their head.

So, I have only gone through a few of the 270 clauses. I have not even dealt with the 300 pages of regulations—300 pages of regulations that currently accompany the Motor Vehicle and Road Traffic Act, and when you add the Maxi-Taxi Act, and the administration, you are talking about 400 pages of regulations that are required to implement the current Motor Vehicle Act. We have not seen a single regulation. Four hundred pages of regulations exist at present to regulate the current Motor Vehicle Act. Not one regulation this Minister has brought to show us where the policy of this Government is. I have spoken only about a few clauses, but I am sure that I have demonstrated to you and the national community, that this Bill must go back to the drawing board, and they must use common sense, practicality, have respect for our culture, our indigenous conventions, and use logic and science, and just do not come with a hurriedly rushed thing to say, “you do something”, because you know that you are leaving in the election year. I thank you, Mr. Speaker.

**8.00 p.m.**

#### ADJOURNMENT

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, I beg to move that this House do now adjourn to Friday, February 6, 2015 at 1.30. p.m., and to serve notice that on that day—Friday the 6<sup>th</sup>—it is the intention of the Government to continue debate on the Bill entitled an Act to establish a Motor Vehicles Authority for the registration, licensing and regulation of motor vehicles and drivers, the regulation of road use and for matters connected thereto, and to debate Bill No. 5 on our Order Paper today, an Act to repeal and replace the Trademarks Act, Chap. 82:81 and to provide for the law relating to trademarks and related matters.

Mr. Speaker, I beg to move.

**CONDOLENCES****(MR. JOSEPH EMMANUEL CARTER AND  
MR. BISSOON INDARSINGH)**

**Mr. Speaker:** Hon. Members, before putting the question, I want on your behalf to extend condolences to the late and former President of the Senate, Mr. Joseph Emmanuel Carter and also, one Mr. Bissoon Indarsingh, the father of the hon. Rudranath Indarsingh.

Hon. Members, as you may be aware, Mr. Joseph Emmanuel Carter, former Clerk of the House and President of the Senate, passed away on Monday, January 21, 2015. Some of us may have had the opportunity to serve with him in any of his various roles.

Joseph Emmanuel Carter was born in 1929. This humble, intelligent, esteemed gentleman achieved much in his life leaving a legacy for all to bear witness. Mr. Carter for the most part was a career public servant, spanning the time of Trinidad and Tobago as a colonial state, and eventually as an independent nation state. His life's work and achievements are a testament to his work ethic and drive. In fact, for his long service to the people of Trinidad and Tobago he was awarded the medal of merit 1989.

Mr. Carter served in the colonial secretary's office, the legislative department, the Legislative Council and the House of Representatives. Meanwhile, in the post-independence era he was appointed Clerk of the Senate in 1964, and in 1975 he became the Clerk of the House. Of course, Mr. Carter's engagement in parliamentary affairs was not just limited to Trinidad and Tobago. His knowledge of parliamentary practice and procedure was greatly respected throughout the Caribbean and indeed the wider commonwealth.

Mr. Emmanuel Carter, a staunch defender of the impartiality of Clerks of the Parliament and other support staff, served as a mentor to many at the organization during his tenure. He laid a firm foundation for what the Office of the Parliament represents today. Perhaps not unsurprisingly to many, just a short time after retirement from public service, Mr. Joseph Emmanuel Carter was appointed President of the Senate and served with distinction for five years. However, one of the more defining features of Mr. Carter's career and life, was his role as acting President of the Republic of Trinidad and Tobago during the period of the unfortunate 1990 attempted coup.

We remain grateful for the role he played in this matter. But more than that, we are grateful for his long service, not just to the Parliament, but to the nation as a whole. I wish to offer sincere condolences to his wife Barbara, daughters Ann Marie, Lisa and Julia, son Wayne, and all other relatives and friends. May the soul of Mr. Joseph Emmanuel Carter rest in peace.

On behalf of all hon. Members of this House, I direct the Clerk of the House to send a letter to Mrs. Barbara Carter, conveying our sentiments of condolence.

Hon. Members, as you may also be aware, the father of our colleague, hon. Rudranath Indarsingh, passed away earlier this week. Hon. Members, on your behalf, I offer our sincere condolences to the Member of Parliament for Couva South and Minister of State in the Ministry of Finance and the Economy, the hon. Rudranath Indarsingh, on the passing of his father, Mr. Bissoon Indarsingh.

Mr. Bissoon Indarsingh was described as a stalwart of the All Trinidad General and Factory Workers Trade Union during the period that it had that particular name. He was 83 years old at the time of his passing. May the Lord grant his family comfort during this difficult period of time. May his soul rest in peace.

Hon. Members, I have directed the Clerk of the House to also convey on our behalf our condolences to the hon. Member and his family.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 8.09 p.m.*