

HOUSE OF REPRESENTATIVES*Friday, April 21, 2017*

The House met at 1.30 p.m.

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

Madam Speaker: Hon. Members, I have received communication from the following Members: Dr. Tim Gopeesingh, MP, Member for Caroni East; Miss Marlene McDonald, MP, Member for Port of Spain South; Mr. Prakash Ramadhar, MP, Member for St. Augustine. The leave which the Members seek is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tobago Regional Health Authority for the year ended September 30, 2010. [*The Minister of Finance (Hon. Colm Imbert)*]
To be referred to the Public Accounts Committee.
2. Ministerial Response of the Ministry of Finance to the First Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Auditor General's Department. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
3. Response of the Treasury Division of the Ministry of Finance to the First Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Auditor General's Department. [*Hon. C. Robinson-Regis*]

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4. Response of the Auditor General's Department to the First Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the Financial years 2014 and 2015 with specific reference to the Auditor General's Department. [*Hon. C. Robinson-Regis*]
5. Response of the Personnel Department to the First Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Auditor General's Department. [*Hon. C. Robinson-Regis*]
6. Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the First Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Auditor General's Department. [*Hon. C. Robinson-Regis*]
7. Ministerial Response of the Ministry of Finance to the Sixth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial years 2014 and 2015 with specific reference to the Ministry of Finance. [*Hon. C. Robinson-Regis*]
8. Ministerial Response of the Office of the Prime Minister to the Third Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Treatment of Child Offenders at the Youth Training Centre, St. Michael's Rehabilitation Centre for Young Male Offenders and St. Jude's Interim Rehabilitation Centre for Young Female Offenders. [*Hon. C. Robinson-Regis*]

9. Ministerial Response of the Ministry of Energy and Energy Industries to the Fourth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2014 with specific reference to the Ministry of Energy and Energy Industries. [*Hon. C. Robinson-Regis*]
10. Ministerial Response of the Ministry of Tourism to the Second Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2014 with specific reference to the Ministry of Tourism. [*Hon. C. Robinson-Regis*]
11. Annual Administrative Report for the Ministry of Tourism for fiscal 2014. [*Hon. S. Cudjoe*]
12. Report on the Determination of Salaries and Allowances of Members of the Board of the Office of the Procurement Regulation. [*Hon. C. Imbert*]
13. Report of the Task Force appointed to review the Government Assistance for Tuition Expenses Programme. [*The Minister of Education (Hon. Anthony Garcia)*]
14. Draft National Development Strategy 2016 – 2030 (Vision 2030). [*Hon. C. Robinson-Regis*]

URGENT QUESTIONS

Severe Water Shortage (Details of)

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you, Madam Speaker. Question No. 1 to the Minister of Public Utilities. Given the severe water shortage across the country, could the Minister of Public Utilities indicate whether there is a water rationing programme and a published nationwide schedule for water distribution?

The Minister of Public Utilities (Hon. Fitzgerald Hinds): [*Desk thumping*]

Thank you very much, Madam Speaker. Thankfully, for Trinidad and Tobago, the levels at the authority's four main impounding reservoirs: Arena, Navet and Hollis in Trinidad and Hillsborough in Tobago are all favourable at this time when compared to the respective long-term averages, dry season conditions are having a significant impact on several water sources. However, the country is not now experiencing severe water shortages as is being suggested in the question raised by the Member for Tabaquite.

Nevertheless, to mitigate against these impacts the authority has begun the redistribution of water to more equitably distribute the reduced volumes available with a particular focus on customers on the extremity of the distribution system and revised water supply schedules will be published in the coming week advising customers of the changes.

Customers in Tobago are advised that the existing water restrictions remain in force. The authority continues to monitor its available water resources in Trinidad and Tobago and will institute water restrictions in Trinidad if necessary. In view of this, customers are encouraged as always to use water sensibly, to use water wisely and to conserve this precious resource, particularly, during the dry season. I thank you, Madam Speaker. [*Desk thumping*]

Dr. Rambachan: Thank you, Madam Speaker. Madam Speaker, given what the hon. Minister has said, denying that there is water shortages. Would the hon. Minister then explain to the House and to the consumers why for the last month there has been no water in Katwaroo Trace, no water in Caratal Morne Roche, no water in Sahie Trace, no water in Cedar Hill Road and I can continue to name a number areas as such. [*Desk thumping*]

Hon. F. Hinds: I am not able to confirm whether that is indeed the case and I acknowledge that it may be so, because at this time, Madam Speaker, Trinidad and Tobago, through WASA, is not able to produce water 24 hours a day, seven days a

week to every road and every community, everywhere in Trinidad and Tobago. This is an aspiration and we are working steadfastly to see whether we could take us there. I thank you, Madam Speaker. [*Desk thumping*]

Dr. Rambachan: The hon. Minister had said that WASA cannot produce water for all of the country. Could he say, therefore, what percentage of the country is WASA producing water for? [*Desk thumping*]

Hon. F. Hinds: Unlike my friend on the other side, I do not want to risk speaking an untruth. I do not have that exact figure with me. That could be provided at a very early stage, notwithstanding WASA continues to exert best efforts given its current circumstances which developed in the last five years and before that, to serve the best needs of the public and the citizens of Trinidad and Tobago. Thank you.

**Dragonfield Project
(Government's Intention for)**

Dr. Bhoendradatt Tewarie (*Caroni Central*): Madam Speaker, to the Minister of Energy and Energy Industries. Given the escalating protests in Venezuela and the uncertainties that attend these, could the Minister of Energy and Energy Industries inform this House of the Government's intentions as it concerns the best approach to bring the Dragonfield Project to fruition within the time frame identified by the Prime Minister during a previous sitting of this House?

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. I have been delegated to answer this question. Once again, let the public of Trinidad and Tobago note the question coming from the other side in a very unpatriotic manner.

Hon. Members: "Ooh Lord." [*Desk thumping*]

Hon. S. Young: It is very disturbing to see that at every occasion they keep trying

to scuttle what is going to happen. This Government does not interfere in the internal affairs of any country, including a democratic one [*Desk thumping*] and I can give the assurance here now that the parties are continuing to work on schedule and hope to deliver on time. It has not in any way whatsoever affected the current proposed timetable.

Dr. Tewarie: So the dates given by the hon. Prime Minister, the time frame, the framework you are confirming, remains in place as the Government's schedule for the management of this project?

Hon. S. Young: That is exactly what I just said, Madam Speaker. Of course, they are proposed dates and as I said, everyone continues to work with that schedule, the parties continue to do their work as planned and we intend to deliver on time.

**Death of Female
(Confirmation of)**

Dr. Lackram Bodoë (Fyzabad): Thank you, Madam Speaker. Question No. 3 to the Minister of Health. Could the Minister of Health confirm whether a 25-year-old female died at the Sangre Grande Hospital a few days ago reportedly from septicemia due to the mis-diagnosis of a ruptured appendix?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you. Madam Speaker, it is surprising that the Member for Fyzabad, who was a former chairman of our Regional Health Authority—

Dr. Moonilal: “Dais the answer.”

Hon. T. Deyalsingh:—is asking for a Minister to usurp the responsibility of the Quality Department at a RHA and that of the Chief Medical Officer. [*Desk thumping*] What I can tell you and what I can confirm is that the incident you are alluding to is currently under very active investigation by the Quality Department of the ERHA under the guidance of the Chief Medical Officer as it should be. [*Desk thumping*]

Dr. Bodoë: Thank you for that answer, hon. Minister.

Hon. Members: That is an answer?

Dr. Bodoë: And I am presuming that your answer confirms that this, in fact took place. Could the Minister, in the circumstances, a young person has died under unusual circumstances, could the Minister indicate whether he is at all satisfied with the treatment meted out to this patient.

Hon. T. Deyalsingh: Madam Speaker, in listening to the crosstalk from the Member for Oropouche East, somebody dead, somebody dead, you know it is unfortunate that even under the Member for Barataria/San Juan, when he had the Cottle incident to deal with and in San Fernando, we on this side never sought once to politicize [*Desk thumping*] these issues. Never once. [*Crosstalk*] Why are we on this par? How irresponsible.

Madam Speaker: Member for St. Joseph, I am my legs. Okay Members, we have begun and therefore I think there has been sufficient time for everyone to settle down and observe the decorum of this House. Member for St. Joseph, Minister of Health.

Hon. T. Deyalsingh: Madam Speaker, if the outburst from opposite, I have blood on my hands—

Dr. Moonilal: Who say that?

Hon. T. Deyalsingh: On the same token, did the Member for Barataria/San Juan have blood on his hands for the Cottle incident? Why are we politicizing these things? The investigation will take place and there may or may not be litigation.

Dr. Bodoë: Thank you, Madam Speaker, thank you Minister. In the circumstances, Minister, I am just trying to protect the public interest and [*Desk thumping*] I am just asking, can you indicate Minister whether any senior doctor would have seen this patient during her three visits to the institution?

Hon. T. Deyalsingh: I will say it again, there is an active investigation taking

place as per protocol. Whether it happened under my watch, the watch of the Member for Barataria/San Juan or any other Minister of Health, there is a procedure to follow and I assure you the procedures are being followed. [*Desk thumping*]

**Mid-Year Budget Review
(Date of)**

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. To the Minister of Finance. Given that six months of the fiscal year 2017 elapsed at the end of February 2017, could the Minister of Finance indicate the date of his mid-year budget review?

The Minister of Finance (Hon. Colm Imbert): Madam Speaker, first let me correct the arithmetic of the Member for Caroni Central. Six months again. Six months of the fiscal year end on March 31, not February. And the answer is in May.

Dr. Tewarie: Any specific date in May?

Hon. C. Imbert: In or around the first half of May.

Dr. Moonilal: Or the second.

**Golden Grove and Remand Yard
(Complaints of Rat Infestation)**

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Madam Speaker. To the Minister of National Security. Having regard to recent reports, were any complaints of rat infestation in the Golden Grove and Remand Yard prisons lodged with the Minister of National Security?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Madam Speaker, no complaints of rat infestation have been lodged with the Minister. However, I have engaged the Commissioner of Prisons who, in fact, gave me a verbal report and a written one to follow. In the meantime,

the Commissioner of Prisons has in fact engaged a service provider to deal with the issues of rat and rat infestation in the prisons together with other activities.

Dr. Khan: Minister, could I just ask a question based on this, whether the Minister of Health has attacked your Ministry and launched an audit on this rat infestation?

Hon. Maj. Gen. E. Dillon: Madam Speaker, the Government works as a team, this Government works as a team, and therefore if there is a health issue in the prisons, [*Desk thumping*] the Minister of Health is duly bound to assist the Minister of National Security in this regard.

Dr. Rambachan: Thank you, Madam Speaker. Would the hon. Minister of National Security indicate whether the Ministry or the prisons services will wait until there is a report of a rat infestation or do they have a regular programme of preventative maintenance with respect to this kind of situation?

Hon. Maj. Gen. E. Dillon: The prisons do have a regular programme to treat with rat infestation and therefore there is a service provider right now. They are continuing to look at other service providers to assist in this present situation.

**Chancellor of the University of the West Indies
(Assumption of Position)**

Mr. Fazal Karim (*Chaguanas East*): Thank you, Madam Speaker. To the Minister of Education. Could the Minister advise how soon the person identified to assume the position of Chancellor—[*Interruption*]

Hon. Members: Question 6.

Mr. Karim: Oh, sorry.

Madam Speaker: We are at No. 7.

Mr. Karim: No, it is 6. We miss—

Madam Speaker: I have called the Member for Chaguanas East.

Mr. Karim: Okay. Okay, Madam Speaker, I will continue with Question No. 7.

Could the Minister advise how soon the person identified to assume the position of Chancellor of the University of the West Indies, is expected to take up the office?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Madam Speaker. At this point I am unable to advise an exact date when the new Chancellor will assume office.

Dr. Moonilal: Who is he?

Hon. A. Garcia: A procedure has to be followed.

Hon. Members: “Ohh.” [*Laughter*]

Hon. A. Garcia: There will be a meeting of next week—[*Crosstalk*] Thursday in Barbados—[*Interruption*]

Madam Speaker: Continue. Minister of Education.

Hon. A. Garcia: There will be a meeting next Thursday in Barbados of the University’s Council in which the report of the Search Committee will be presented. After that has been done, the University Council will decide when the new Chancellor will assume office. I would like to inform this honourable House that the current Chancellor will demit office on the 31st of July, 2017. Thank you. [*Desk thumping*]

Mr. Karim: Thank you, Madam Speaker. Hon. Minister, did your premature announcement of a Chancellor at yesterday’s post-Cabinet meeting, in contravention of the University’s Statute 4, prejudice and pollute the decision-making process? [*Desk thumping*]

Hon. A. Garcia: Madam Speaker, I totally disagree with the Member. [*Desk thumping*] My statement in Parliament, at the post-Cabinet media briefing was by no means premature. There was a Search Committee that was appointed to identify a choice for a new Chancellor. I was directed by the Cabinet of this country to make such a statement. [*Desk thumping*] In fact, it was the feeling of

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Cabinet that at this point, it was safe and prudent to make such a statement. I thank you very much. [*Desk thumping*]

Dr. Tewarie: Could I ask the hon. Minister if this signals an intention on the part of the Government to interfere in appointment to the University Council? [*Desk thumping*]

Hon. A. Garcia: Madam Speaker, the simple answer to that question is, no.

Madam Speaker: Question No. 6, Member for Caroni Central.

Property Tax (Imposition of)

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. To the Minister of Finance. Could the hon. Minister inform this House as to whether he intends to impose a property tax on citizens before the end of fiscal 2017?

The Minister of Finance (Hon. Colm Imbert): Yes.

Madam Speaker: Member for Caroni Central. Do you have a supplemental?

Dr. Tewarie: I will not follow up.

Madam Speaker: The Member for Oropouche East.

Dr. Moonilal: Thank you very much. In response to the monosyllabic response of the Minister of Finance, his answer was, yes. Could the Minister indicate whether the valuation division of his Ministry or any other relevant department of Government have had any increase in staffing, resources, logistical support, et cetera, to facilitate what could be tens of thousands of assessment, documents and papers coming in for assessment and analysis in the coming weeks?

Madam Speaker: I will not allow that as a supplemental question. Urgent question time is now spent.

ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

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Thank you very kindly, Madam Speaker. Madam Speaker, we will be answering all questions including the questions for written answer.

WRITTEN ANSWERS TO QUESTIONS

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

Petrotrin's Cautionary Closure (Details of)

62. Dr. Roodal Moonilal (*Oropouche East*) asked the hon. Minister of Energy and Energy Industries:

Could the Minister indicate the total cost of the cautionary closure of critical installations at Petrotrin in anticipation of proposed strike action recently served by the Oilfields Workers' Trade Union?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam Speaker. Madam Speaker, on the 3rd of January, 2017, the Oilfields Workers' Trade Union served notice to Petrotrin of strike action which was due to take effect from January 09, 2017.

Accordingly, Petrotrin instituted contingency measures, including the shutdown of all refinery units in preparation for the proposed strike. The company incurred increased operating expenditure in effecting contingency measures to prepare for strike action. The direct cost of such action amounted to \$3.99 million and comprised of the following. One demurrage cost incurred on tankers delivering crude oil that totalled \$1.53 million; contingency planning and preparatory cost of goods and services, amounting to \$1.46 million and demobilization and mobilization of land drilling and work over rigs at a cost of \$1 million. Grand total again, TT \$3.99 million.

**CARICOM Nationals
(Details of)**

83. Mr. David Lee (*Pointe-a-Pierre*) on behalf of Dr. Tim Gopeesingh (*Caroni East*) asked the hon. Minister of Foreign and CARICOM Affairs:

Could the Minister of Foreign and CARICOM Affairs state:

- a the number of CARICOM nationals granted Trinidad and Tobago work permits for 2014, 2015 and 2016 and provide the list of applicable nationalities for each year; and
- b. the number of CARICOM nationals deported from Trinidad and Tobago for 2014, 2015 and 2016:
 - i. as a result of criminal offences;
 - ii. for reasons other than the commission of criminal offences; and
 - iii the nationalities of the CARICOM nationals deported for each of the specified years in (i) and (ii)?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you, Madam Speaker. Madam Speaker, according to the data provided by the Immigration Division of the Ministry of National Security, over the period 2014 to 2016, 803 CARICOM nationals were granted Trinidad and Tobago work permits as follows: 256 in 2014; 275 in 2015; 272 in 2016.

By nationality work permits were granted as follows: Antigua & Barbuda: 3 in 2014; 2 in 2016; a total, 5. Bahamas: 1 in 2014; 5 in 2015; 5 in 2016; a total of 11. Barbados: 5 in 2014; 11 in 2015; 9 in 2016; a total of 25. Belize: 2 in 2014; 2 in 2015; 0 in 2016; a total of 4. Dominica: 27 in 2014; 61 in 2015; 22 in 2016; a total of 110. Grenada: 35 in 2014; 23 in 2015; 1 in 2016; a total of 59. Guyana: 88 in 2014; 86 in 2015; 99 in 2016; a total of 273. Haiti: 0 in 2014; 2 in 2015; 1 in 2016; a total of 3. Jamaica: 35 in 2014; 36 in 2015; 36 in 2016; 107. Montserrat: 0

in 2014; 1 in 2015; 0 in 2016; 1. Saint Lucia: 4 in 2014; 4 in 2015; 4 in 2016; total of 12. St. Kitts and Nevis: 0 in 2014 and 2015; 1 in 2016. St. Vincent & the Grenadines: 56 in 2014; 43 in 2015; 91 in 2016; a total of 190.

The total number of CARICOM nationals deported from Trinidad and Tobago over the period 2014 to 2016 for criminal offences, was 34, broken down by year: 2014, 18; 2015, 10; 2016, 6; a total of 34.

The total number of CARICOM nationals deported from Trinidad and Tobago for reasons other than the commission of criminal offences for the period 2014 to 2016, was 823, broken down as follows: 2014, 360; 2015, 262; 2016, 201; total of 823.

The nationalities of the 34 CARICOM nationals deported for criminal offences over the period 2014 to 2016 are as follows: Guyana: 2014, 3; 2015, 2; 2016, 1; a total of 6. Jamaica: 2014, 14; 2015, 8; 2016, 5; a total of 27. St. Vincent and the Grenadines: 2014, 1; 2015 and 2016, 0; a total of 1.

The nationalities of the 823 CARICOM nationals deported for reasons other than the commission of criminal offences over the period 2014 to 2016 are as follows: Antigua and Barbuda: 2014, 1; 2015 and 2016, 0. Barbados: 2014, 1; 2015, 1; 2016, 1; a total of 3.

Dominica: 2014, 0; 2015, 2; 2016, 0, a total of two. Grenada: 2014, 17; 2015, 23; 2016, 16, a total of 56. Guyana: 2014, 163; 2015, 130; 2016, 73, a total of 366. Haiti: 2014, 0; 2015, 01; 2016, 0, a total of 1. Jamaica: 2014, 170; 2015, 101; 2016, 102, a total of 373. St. Lucia: 2014, 01; 2015, 01; 2016, 0; total of 2. St. Vincent and the Grenadines: 2014, 7; 2015, 2; 2016, 9, a total of 18. Suriname: 2014, 0; 2015, 1; a total of 823 persons, Madam Speaker.

2.00 p.m.

**Audit Reviews by Ernst & Young
(Details of)**

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88. Dr. Roodal Moonilal (*Oropouche East*) asked the hon. Prime Minister:

With respect to audit reviews by Ernst & Young for Ministries, Departments, Statutory Corporations, State Enterprises and Special Purpose Companies since September 2015, could the Prime Minister indicate:

- a. the list of audit reviews completed to date;
- b. the list of audit reviews in the process of being completed;
- c. the cost of per audit in (a) and (b) above;
- d. the total amount spent to date; and
- e. the outstanding quantum of monies yet to be paid?

The Minister of Finance (Hon. Colm Imbert): Thank you very much, Madam Speaker. On behalf of the hon. Prime Minister, in answer to Question 88, with respect to the audit reviews by Ernst & Young for Ministries, Departments, statutory corporations, state enterprises, and special purpose companies, since September 2015, the list of audit reviews completed to date is as follows: For Caribbean Airlines Limited, review of credit card settlement processes and reconciliation: accounting support was required. Review of cargo revenue, accounting and reconciliation: accounting support was required. Review of passenger revenue account— [audio break] For Clico Trust Corporation Limited: audit of 2015 and 2016 financial statements. For TSTT: independent oversight in relation to TSTT's advertising, marketing, media purchase and management services tendering process; out of scope services in connection with March 31, 2016 audit of financial statements: professional services in connection with the review of the six-month financial statement for the period ended September 30, 2016. For the Natural Gas Company of Trinidad and Tobago, three audits.

For Trinidad Nitrogen Company Limited: an audit for the period ending December 31, 2015 and for the period ending December 31, 2016. For NP: an

enterprise risk assessment. For Trinidad and Tobago Mortgage Finance Company Limited: an audit for the period ending December 31, 2015 and for the period ending December 31, 2016. For the University of Trinidad and Tobago, 2012, 2013 and 2014: financial statements audit. For the National Energy Skills Centre: financial statements 2014 to 2015 and 2015 to 2016.

The list of audit reviews in the process have been completed: the University of Trinidad and Tobago, 2014 financial statements; Water and Sewerage Authority, external audit review for year ended September 30, 2013; South-West Regional Health Authority, provision of professional accounting services on arrears of salary and allowances for the period January 2011 to July 2015.

The cost per audit in (a) and (b) above: Caribbean Airlines, \$629,306.02; Clico Trust Corporation, \$97,650.00; TSTT, \$483,154.80; the National Gas Company of Trinidad and Tobago, \$8,597,559.00; Trinidad and Tobago Nitrogen Company Limited, \$498,750.00; Trinidad and Tobago National Petroleum Marketing Company, \$249,350.00; Trinidad and Tobago Mortgage Finance Company Limited, \$1,040,000.00; University of Trinidad and Tobago, \$3,942,621.54; National Energy Skills Centre, \$295,000.00; Water and Sewerage Authority, amount to be finalized; South-West Regional Health Authority, \$819,675.00. The total amount spent to date: \$18,158,929.56. The outstanding quantum of moneys yet to be paid: \$1,979,124.89.

Madam Speaker: Member for Naparima.

Mr. Charles: Would the Minister please tell us if the findings of any of these audits led to any reports being forwarded to the DPP?

Madam Speaker: I would not allow that. That is not a supplemental question. Member for Oropouche East.

Dr. Moonilal: Thank you very much. To the hon. Minister. Would the Minister provide any more detail on the \$8 million audit at NGC?

Madam Speaker: Minister of Finance.

Hon. C. Imbert: Sorry, Madam, I did not hear the question.

Madam Speaker: Member for Oropouche East, could you kindly repeat the question so that we could get on?

Dr. Moonilal: Ma'am, I withdraw the question.

**Tobago House of Assembly Divisions
(Number of Full Time Employees)**

92. Dr. Surujrattan Rambachan (*Tabaquite*) asked the hon. Minister of Finance:

Could the Minister state the number of full time employees in each Division of the Tobago House of Assembly:

- a. Community Development, Enterprise Development and Labour;
- b. Education, Innovation and Energy;
- c. Finance and the Economy;
- d. Food Production and Fisheries;
- e. Health, Wellness and Family Development;
- f. Infrastructure, Quarries and the Environment;
- g. Office of the Chief Secretary;
- h. Settlements, Urban Renewal and Public Utilities;
- i. Sports and Youth Affairs;
- j. Tourism, Culture and Transportation?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. The number of full-time employees in each division of the Tobago House of Assembly is as follows: Community Development, Enterprise Development and Labour, 53; Education, Innovation and Energy, 922; Finance and the Economy, 113; Food Production and Fisheries, 200; Health, Wellness and Family

Development, 144; Infrastructure, Quarries and the Environment, 154; Office of the Chief Secretary, 144; Settlements, Urban Renewal and Public Utilities, 12; Sports and Youth Affairs, 2; Tourism, Culture and Transportation, 59.

**Government Borrowing
(Details of)**

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

Given the issuance of an eight year, fixed bond by the Ministry of Finance, could the Minister state how much money the Government has borrowed via loans and bonds issued both locally and internationally since this Government assumed office in September 2015?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. The answer to question 99. The Government has borrowed US \$1 billion which was on the road show last year, and TT \$9.16 billion via loans and bonds both internationally and locally since September 2015. Madam Speaker, I am pleased to announce that it is noteworthy that since September 2015, the Government has also repaid \$4.2 billion in debt. [*Desk thumping*]

**Domestic Violence
(Update of)**

100. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of State in the Office of the Prime Minister:

Further to the response provided to an Urgent Question on March 11, 2016, could the Minister provide an update on the measures taken to protect victims of domestic violence and reduce incidences of domestic violence?

The Minister of State in the Office of the Prime Minister (Hon. Ayanna Webster-Roy): Thank you, Madam Speaker. Government continues to work towards commissioning of the five shelters for victims of domestic violence in order to protect them from further harm. The Office of the Prime Minister is

currently working towards having these facilities commissioned and establishing the management framework. The National Strategic Action Plan and Communication Strategy for ending gender-based violence, which speaks to continuous public education and sensitization is being considered. Victims of domestic violence must call the hotline 800-Save to receive service.

If in imminent danger, a victim can make a report at any of the police stations across Trinidad and Tobago and they would be dealt with as a matter of priority. Support services are provided through the TTPS Victim and Witness Support Units. There are nine Victim and Witness Support Units, one in each of the nine police geographical divisions. There are also nine shelters provided with government subventions and managed by non-governmental organizations.

In addition, the Ministry of National Security also provides services to victims. A victim can make a report at any police station across Trinidad and Tobago. In addition to the support from the police service, there is also support from the Ministry of Social Development and Family Services. Apart from that, there are also works in place with the non-governmental sector to address the issue.

Thank you.

Retirement Age in Public Service (Adjustment of)

101. Mr. David Lee (*Pointe-a-Pierre*) asked the hon. Minister of Public Administration and Communications:

Could the Minister state whether the Government intends to adjust the retirement age in the public service?

The Minister of Public Administration and Communications (Hon. Maxie Cuffie): Thank you, Madam Speaker. The Government has made no decision with respect to the adjustment of the retirement age in the public service. It should be noted that any decision to change the retirement age will require extensive

consultation as well as financial and market analyses to determine the required change of age, and the most optimal effect for the public service and the country. Accordingly, if the Government forms the view that this matter should be actively considered, appropriate consultations would be held before any action is taken.

Thank you.

Mr. Charles: Is the Minister saying that the policy of his Ministry is inconsistent with the suggestions in the National Development Strategy 2016—2030 (Vision 2030), which says and I quote:

Ageing will lead to an increase in the retirement age—among other items?

Hon. M. Cuffie: Was there a question, Madam Speaker?

Mr. Charles: Yes. This is inconsistent with what is being suggested.

Hon. M. Cuffie: No.

Madam Speaker: Member for Caroni Central.

Dr. Tewarie: Which question? [*Crosstalk*]

Madam Speaker: Members, may we have some order so that we can all follow?
Member for Caroni Central.

Hon. Member: Your Motion.

Dr. Tewarie: Oh, my Motion. Sorry, Madam Speaker.

Hon. Member: Wake up, wake up.

**DEFINITE URGENT MATTER
(LEAVE)Property Tax
(Implementation of)**

Dr. Bhoendradatt Tewarie (*Caroni Central*): Madam Speaker, my apologies. Madam Speaker, I hereby seek leave to move the Adjournment of the House under Standing Order 17 for the purpose of discussing as a definite matter of urgent public importance, the imminent re-introduction of the Property Tax amidst widespread public confusion. The matter is definite because it relates to the

implementation of the property tax by the Government within this fiscal year.

The matter is urgent because recent publications by the Ministry of Finance indicate that May 21, 2017, has been set as the deadline for citizens to file documents which will be used in the computation of taxes to be paid. As things now stand, citizens are required to comply on matters about which they lack clarity.

The matter is of public importance because it affects all of Trinidad and Tobago, and there is a great deal of uncertainty and confusion nationwide on the application of the Property Tax. Ultimately, this tax will affect all citizens, whether homeowners, renters or landlords and will have an impact on the ordinary citizen, agriculture, business, industry and on the national economy.

I so move, Madam Speaker. [*Desk thumping*]

Madam Speaker: Hon. Members, I have considered the Motion of the Member for Caroni Central and I am satisfied that this matter qualifies to be raised as a definite matter of urgent public importance. [*Desk thumping*] This matter also requires the leave of the House. Is the House required to grant leave?

Assent indicated.

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

STATEMENTS BY MINISTERS

GATE Task Force (Details of Report)

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, I have been asked by Cabinet to make the following statement. It gives me great pleasure to lay in Parliament today the report of the Task Force appointed to review the Government Assistance for Tertiary Expenses (GATE) Programme. The GATE

Programme was established in 2004 with the following objectives:

- Make tertiary education affordable to all so that no citizen of Trinidad and Tobago would be denied tertiary education because of inability to pay;
Widen access to tertiary education that would support economic development and promote social equity; and
- Build and strengthen a national quality tertiary education sector through both public and private tertiary level institutions.

The GATE Programme has afforded free tuition to students enrolled in undergraduate programmes since January 2006. Expenditure under the GATE Programme over the last 12 years has been approximately \$6.46 billion. The GATE Task Force was appointed in April 2016 and submitted its report in July 2016. Madam Speaker, please permit me to read into the *Hansard* some of the findings of the GATE Task Force based on its extensive research and detailed analysis. The Task Force found, among other things:

1. The GATE Programme has been a salutary and transformative initiative that significantly impacted the tertiary education landscape of Trinidad and Tobago, particularly with respect to the tertiary participation rate which increased from 8 per cent in 2002 to over 65 per cent in 2015. The current level of tertiary participation compares favourably with the rate for developed countries.
2. Despite the gains achieved, there were some inefficiencies associated with the programme, particularly in relation to the fact that most of the recipients are from families which fall in the middle to high income groups in society.
3. Many governments in both developed and developing countries have

found it necessary, over the last decade, to reduce public funding of tertiary education due to constrained economic circumstances.

4. It is to be noted that Trinidad and Tobago is the only country in the English-speaking Caribbean that fully subsidizes undergraduate degree programmes. It was also noted, in the light of economic constraints, the Barbados Government, effective 2014, discontinued its subsidy on tuition fees for nationals attending UWI Campuses.
5. In addition to the GATE Programme, the Government of Trinidad and Tobago spends substantial sums in support of tertiary level education by way of national scholarships, the Higher Education Loan Programme (HELP), and the Financial Assistance (Studies) Programme (FASP).

Madam Speaker, given these findings, and with the current budgetary constraints, the Task Force was of the view that the status quo could not remain. Accordingly, in August 2016 the Cabinet made the following decisions in order to curtail expenditure on the GATE Programme.

- I. Effective from the academic year 2017/2018 and beyond, a means test be used to determine access to the programme.
- II. Effective August 2016:
 - students will only be funded for one undergraduate and one postgraduate programme; continuing students to be allowed to complete previously approved undergraduate programmes;
 - the loan ceiling for students at local institutions be raised to \$35,000 annually with a ceiling for students at regional institutions to remain at \$75,000 annually;
 - persons over the age of 50 years shall no longer be eligible for GATE funding. Students over the age of 50 years already enrolled in

undergraduate programmes to be granted funding to complete their programmes;

- Government shall discontinue funding of new students in the medical programmes at the St. George's University, Grenada.

III. Effective August 2017:

- Funding for postgraduate degrees be available to students whose programmes are in alignment with the country's developmental needs;
- Only institutions and programmes accredited by the Accreditation Council of Trinidad and Tobago be funded;
- Technical and Vocational Education and Training Programmes for level III and IV be funded;
- Students enrolled in non-medical programmes at regional campuses of the University of the West Indies that are offered at UWI, St. Augustine Campus, shall only be funded the equivalent level of funding at the St. Augustine Campus.

Students who were already pursuing programmes at the time, continue to receive funding for the entire programme, and students who were registered to begin programmes in August 2016, receive full funding for the 2016 academic year.

Madam Speaker, with respect to the means test, I would like to inform this honourable House that an income-only test will be applied for the 2017/2018 academic year to provide 100 per cent funding where the household income is \$10,000 per month or less; 75 per cent funding where the household income is above \$10,000 per month, but less than \$30,000, and 50 per cent funding where the household income is \$30,000 per month or more. Subject to the approval of Cabinet, the Ministry hopes to refine this model for August 2018 and beyond.

Means testing will not be mandatory for all students. Students who do not

wish to apply for means testing will be required to pay 50 per cent of their tuition fees. Sanctions, such as withdrawal and reimbursement of GATE funding and debarment from access to the GATE Programme, will be introduced as a deterrent for students who are found to have submitted false information. The means test system will be fully integrated into the GATE eService to ensure efficiency and increased responsiveness.

The financial implication of the proposed measures should result in savings of at least \$165.7 million in fiscal 2017 to 2018. This area of savings is disaggregated as follows:

- Discontinuation of funding for postgraduate studies - \$68.0 million.
- Discontinuation of funding of persons 50 years and over - \$16 million.
- The reintroduction of cost sharing - \$69 million.
- Cessation of funding of new students at the St. George's University - \$12.7 million.

Madam Speaker, in closing, I advise that the Government is considering additional options for funding—

Madam Speaker: Member, your speaking time has been spent.

Hon. A. Garcia: Thank you. [*Desk thumping*]

Madam Speaker: Member for Chaguanas East.

Mr. Karim: Thank you, Madam Speaker. Question, in accordance with Standing Order 24(4), to the hon. Minister of Education: Hon. Minister, with three months to go for the re-registration of students at our tertiary institutions in August, can you advise us and the national public as to when the documentation, or the system will be in place for means testing? Is it ready? Or when will it be ready?

Hon. A. Garcia: Thank you very much, Madam Speaker. Two things must be borne in mind in answering this question. One is, a large part of this will depend

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on the results of the CAPE exam and other examinations, and those results will be issued sometime in August of this year. But I want to assure the hon. Member that everything will be put in place long in advance so that all students who want to access GATE funding will have adequate time and opportunity to do so.

Thank you. [*Desk thumping*]

Madam Speaker: Minister of Planning and Development.

**National Development Strategy 2016—2030
(Vision 2030)**

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very kindly, Madam Speaker. Madam Speaker, I have been authorized by the Cabinet of the Republic of Trinidad and Tobago to make this statement on behalf of the Government.

Madam Speaker, I have laid before this honourable House today the National Development Strategy 2016—2030, Vision 2030, in both electronic and hard copy versions. This document is the culmination of more than a year's work of research, collaboration, consultation and peer reviews amongst several Ministries, local, regional and international partner organizations and the diligence of public officers in the Ministry of Planning and Development.

Whilst laying this document before the House today represents a significant milestone, I hasten to add that we do so principally to deepen the consultative process which this Government has embarked upon, and to signal to the country the return of strong, robust planning which looks beyond the boundaries of five-year election cycles to a time, perhaps, when none of us who presently occupy these seats will be present. There can be no denying, Madam Speaker, that a country cannot and will not achieve sustainable progress if successive Governments, without good reason and alternatives, abandon the carefully and

collaboratively constructed vision of their predecessors.

Madam Speaker, this is the travesty that was visited upon this country when, after the change of Government in 2010, Vision 2020, containing the dreams of thousands of citizens who were represented in the consultations, was summarily rejected by the People's Partnership and were it not for some true patriots in the Ministry of Planning and Development, all the documents and CDs relating to that monumental exercise would have been dumped and destroyed by the last administration. That is what they did.

Madam Speaker, you will recall the hundreds of hours of consultations that took place across the country, engaging more than 600 captains of industry, heads of academia, including, Madam Speaker, the Member for Caroni Central who sits here today, the trade union movement, religious bodies, civil society and NGO groupings, and the man in the street. The document that emerged thereafter, Madam Speaker, was not a PNM document. It was a Trinidad and Tobago document—

Hon. Member: No way.

Madam Speaker: Order. Order.

Hon. C. Robinson-Regis:—because it represented the hopes and aspirations of the citizens of Trinidad and Tobago.

Madam Speaker, I propose that this Draft National Development Strategy, and on behalf of the Cabinet of Trinidad and Tobago, I indicate that this strategy document will be subjected to the scrutiny of a joint select committee of the Parliament [*Desk thumping*] and debated after in this honourable House so that the country can, in the long run, benefit from the collective wisdom resident in this august House and in the society as citizens, by being asked to give their input to the joint select committee, will also participate, and perhaps in so doing, mitigate

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against the prospect of any succeeding government abandoning the country's developmental process.

Upon completion of that exercise, Madam Speaker, Vision 2030 will be the blueprint for national growth, irrespective of which administration occupies the seat of Government.

2.30 p.m.

Madam Speaker, as a previous PNM administration did almost a decade ago with Vision 2020, this administration is doing the same with Vision 2030, that is, skilfully charting a strategic course for our country which will drive the transformation effort. This draft document is securely nestled within the foundational principles and mission of Vision 2020. Vision 2030 invites every citizen, irrespective of age, gender, to believe that any and every thing is possible with hard work, sacrifice and commitment. It invites every budding entrepreneur, creative soul, every single innovator to see Trinidad and Tobago as a land of promise and opportunity.

The National Development Strategy articulates a broad policy framework for development, it articulates the overarching national vision to 2030 and national development priorities in the form of short-term and long-term goals. The achievement of these goals is predicated upon major paradigm shifts in our public sector administration, management institutions and systems, our values, attitudes and behaviours, and the way we pursue economic growth. Madam Speaker, it is that understanding of our developmental interdependence that ensured the incorporation of the United Nation's 2030 Agenda and their assistance in developing this agenda in accordance with the 17 Sustainable Development Goals that have been ascertained by the United Nations Development Programme.

The methodology for the National Development Strategy was constructed

around certain semantic areas:

- the aspiration statement;
- the development themes;
- the guiding principles;
- the national developmental goals and sustainable developmental goals;
and
- key strategies for the short-term 2016—2020.

Madam Speaker, in keeping with our consultative approach and in order to ensure that the draft National Development Strategy captured and addressed the challenges of the present socio-economic environment, the Ministry of Planning and Development collaborated and consulted with a number of internal and external partners. These were the Economic Development Advisory Board, the National Tripartite Advisory Council, the United Nations Development Programme, the United Nations Country Team for Trinidad and Tobago, the Caribbean Development Bank and the Inter-American Development Bank.

Madam Speaker, I must acknowledge the tremendous professional commitment of the officers of the Ministry of Planning and Development, in particular the Socio-Economic Policy Planning Division, the Project Planning and Reconstruction Division, the National Transformation Unit, the Environmental Policy and Planning Division and the wider public sector who worked diligently to prepare this document, and I wish to thank them publicly.

In the Vision 2030 national development planning process, a renewed emphasis has been placed on implementation and results as well as establishing the necessary machinery to boost progress through the establishment of key partnerships. In the current economic climate, emphasis is being placed on ensuring that programmes and projects are adequately linked to policies and

strategies to maximize the use of available resources whilst achieving the desired developmental impact.

Madam Speaker, I must indicate that the Ministry used Vision 2020 as its basis. The Ministry also examined what took place between 2010 and 2015, and those aspects of the pillars that were making any kind of sense we did use some of the work that was the done between 2010 and 2015, and unlike the previous administration we did not discard all the work that had been done.

Hon. Member: Throw them away.

Hon. C. Robinson-Regis: Yeah, the intention was to put it in the La Basse.

Madam Speaker, our sister country, Jamaica, ensured that their Parliament debated their Vision document so that it was accepted nationally and we wish to ensure the same. Consequently, as I said, we will be asking this Parliament to establish a joint select committee because the successful and developed nations of the world span many varied cultures, languages and histories, but these economic powerhouses do share one similarity, they were not built overnight. Each of these countries began with a single vision to guide it upon its path to greatness. Compared to them, we are, for all intents and purposes, still a fledgling democracy. We do not have to repeat the mistakes of their past though, neither do we have to reinvent the wheel.

Trinidad and Tobago must have its own vision, one that opens our minds and our hearts to a vast array of possibilities if we look through different lenses. This Government sees a Trinidad and Tobago that is celebrated and respected by the global community for its prosperity, equal and equitable treatment of citizens, and for its creativity and innovation.

Madam Speaker: Minister of Planning and Development, your time is spent.

Hon. C. Robinson-Regis: Thank you, Madam Speaker. We will transform this

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country together. [*Desk thumping*]

Mr. Charles: Thank you, Madam Speaker. I would like to ask a question under 24(4). After reviewing the document, particularly in the entire area that deals with ageing, the question I would like to ask is: Why does the document see ageing as a burden and a cost—and I read specifically—[*Interruption*]

Madam Speaker: Member, you have 15 seconds to ask the question.

Mr. Charles:—and rather than an opportunity based on the Florida model of development?

Hon. C. Robinson-Regis: Madam Speaker, that is not what the document says. In addition to that, this document is a draft document which would be subjected to the minds of the parliamentarians and the citizenry of Trinidad and Tobago. I know the Member for Naparima is very concerned about ageing and he will be given an opportunity to participate I am sure. Thank you very much, Madam Speaker.

MUTUAL ADMINISTRATIVE ASSISTANCE IN TAX MATTERS BILL, 2017

Bill to implement the Convention on Mutual Administrative Assistance in Tax Matters which would make provision for the implementation of agreements between Trinidad and Tobago and other States to provide for the exchange of information for the purposes of taxation, and matters incidental thereto [*The Minister of Finance*]; read the first time.

POLICE SERVICE COMMISSION (NOMINATION OF COMMODORE ANTHONY STAFFORD FRANKLIN)

The Minister of Planning and Development (Hon. Camille Robinson-Regis):
Thank you very much, Madam Speaker. I beg to move the following Motion standing in my name:

UNREVISED

PSC Nomination of Commodore
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Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives; and

And whereas the President has nominated Commodore Anthony Stafford Franklin to be appointed as a member of the Police Service Commission; and

And whereas the President has on the 16th day of February, 2017 made a Notification in respect of the nomination; and

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Commodore Anthony Stafford Franklin be approved.

Madam Speaker, this is the fourth name that will be appearing as a member of the Police Service Commission. The legislation indicates that the Police Service Commission shall consist of four persons, and thus far the President has notified the names or the nomination of three persons and those persons are in the names of:

Dr. Maria Therese Gomes, who is the Chairman of the Police Service Commission. Dr. Gomes is proficient in social work, she has a PhD, and Social

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Anthony Stafford Franklin (cont'd)
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Policy and Planning in Developing Countries, and has extensive research in investigative experience especially in the area of gender issues, social reform and social justice.

The second person we have had to deal with the notification of is Mr. Dinanath Ramkissoon. He is experienced in law, having a Master's in Law, public prosecutions and state prosecution. He is certified in anti-money laundering, effective investigation and prosecution of corruption, procurement and contract management.

The third person we have had a notification of and debated the Motion in this Parliament, Mr. Martin George, who is the principal of the law firm Martin George and Company, with almost a quarter of a century of legal practice and experience. Mr. Martin George has been described as someone with a strong social sense of social justice and has served in fact on the Police Service Commission twice before.

Madam Speaker, in bringing this Motion to the House today, or in debating the Motion in the House today, we are appointing the fourth person to the Police Service Commission. May I indicate that the quorum of the Police Service Commission is three, but a fully constituted Commission is important and, consequently, we are here today to approve the notification of the President of the Republic of Trinidad and Tobago. Commodore Anthony Stafford Franklin, retired, former Chief of Defence Staff, is a person who is qualified and experienced in the discipline of management, and therefore, he is qualified to be appointed as a member of the Police Service Commission.

Madam Speaker, in addition to Commodore Franklin's educational experience and expertise, he also holds the Humming Bird Medal, Gold, and he

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was awarded this in 1979 by the State of Trinidad and Tobago; he has the Efficiency Medal awarded in 1980 by the Trinidad and Tobago Defence Force; the Efficiency Decoration awarded in 1986 by the Defence Force; he has the Admiral Brian Medal awarded by Venezuelan Armed Forces in 1991; the Naval Medal of Honour from the Venezuelan Navy in 2002; the General Service Medal for Action by the Trinidad and Tobago Defence Force in 2002; the Caribbean Cadet Medal by the Cadet Force in 2006; the Golden Pout Medal by the Scout Association in 2007; the Centennial Medal by the Cadet Force in 2010. Commodore Franklin has been awarded these accolades and honours because of the type of service he has given to the Republic of Trinidad and Tobago and to the people of Trinidad and Tobago.

Madam Speaker, there is no gainsaying that Commodore Franklin is well known to the public of Trinidad and Tobago having served, as I said as, as the Chief of Defence Staff, and having served the country with a certain level of patriotism and love for the Republic of Trinidad and Tobago. What the Police Service Commission attempts to do is to ensure that those persons—*[Interruption]* I do not know if he is a PNM, Member for Naparima.

Mr. Charles: Patriotism.

Hon. C. Robinson-Regis: Okay—who are appointed to the Service Commission are persons who not only have the educational qualifications, but have a certain level of patriotism and love for their country that they will operate in such a way as to ensure that the police service operates in the best interest of the people of Trinidad and Tobago.

In fact, the Police Service Commission is expected to be a pioneering and pre-emptive oversight body that facilitates, monitors, provides governance and accountability, and sets proficient standards by reviewing and evaluating

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operational and policies and plans of the Police Commissioner. Madam Speaker, it is therefore imperative that the Police Service Commission is an independent body, and under the laws of the Republic of Trinidad and Tobago it was established to monitor, appoint, discipline and act as an appeal body to the police service. Its mandate is to execute oversight function on the effectiveness and the performance of the Commissioner and the Deputy Commissioners of Police, those who manage our police service.

According to the Constitution, Madam Speaker, the Police Service Commission shall have the power to appoint persons to hold or act in the position of Police Commissioner and Deputy Commissioners of Police. It also has the power to make appointments on promotion and to confirm appointments to offices; to remove from office and exercise disciplinary control over those they appoint; to monitor the efficiency and the effectiveness of the discharge of their functions, that is, the Police Commissioner and the Deputy Police Commissioners. The Police Service Commission is also mandated to prepare an annual performance appraisal in such form as may be prescribed by the Police Service Commission and for the information of the commissioner or the deputy commissioners, and it is also mandated to hear and determine appeals from decisions of the Commissioner of Police or of any person to whom the powers of Commissioner of Police have been delegated.

It is clear that with the experience of Commodore Franklin, he is well suited for the position of membership of the Police Service Commission. Madam Speaker, you will recall that at the start of my presentation I indicated that the President gives this Notification after consultation with the Prime Minister and the Leader of the Opposition. This Notification is before us for the nomination of

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Hon. C. Robinson-Regis (cont'd)

Commodore Franklin. Commodore Franklin not only is well decorated, but his educational background is quite interesting.

Madam Speaker, at the graduate and undergraduate levels, he is the holder of a Bachelor of Science Degree from the University of Wales in Maritime Geography and that was an honours degree; he graduated from the United States Naval Staff College of the US Navy War College with distinction; he holds a Master's of Marine Affairs Management degree from Dalhousie University in Canada; a Diploma in International Humanitarian Law from the Institute of International Humanitarian Law in Sanremo, Italy, and not only that, Madam Speaker, he has represented Trinidad and Tobago at regional and international conferences and other activities; he has been engaged as the Military Advisor to the International Committee of the Red Cross for relations with the security forces in the English-speaking Caribbean; and he also has notable service successes when he served this country in another capacity.

As Chairman of the IMA and later as director, he led the successful project for constructing and commissioning a modern multi-storey Marine Research Laboratory at the IMA. As advisor to the UTT, he participated in overseeing the project for establishing the Marine Campus at Chaguaramas and he successfully led the project for constructing, commissioning and delivering 12 naval vessels for the Trinidad and Tobago Coast Guard from a naval shipbuilding yard in the Netherlands, the Damen vessels.

Dr. Rambachan: He did a good job.

Hon. C. Robinson-Regis: So I am assuming that there will be very little debate from you with regard to Commodore Franklin, because as you are rightly saying he is a good man.

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Anthony Stafford Franklin (cont'd)
Hon. C. Robinson-Regis (cont'd)

Dr. Rambachan: You are taking too long.

Hon. C. Robinson-Regis: You find I am taking long? Madam Speaker, I would like to commend Commodore Franklin to this House and request that this notification and this nomination be approved.

Thank you very kindly, Madam Speaker. [*Desk thumping*] Madam Speaker, I beg to move.

Question proposed.

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. As the Leader of the House indicated in her presentation of the credentials of Commodore Anthony Stafford Franklin, there is a process by which such appointments to the Police Service Commission is done and this is defined by the Constitution, and she in fact indicated how it is done and the section of the Constitution through which it is done. So when a matter such as this comes before this honourable House, Madam Speaker, not only would His Excellency the President have acted, but he would have consulted with both the Prime Minister of the country and the Leader of the Opposition.

So when the matter comes here for us in the Parliament, it is really to scrutinize this, to examine this in the context of the function of the Police Service Commission, and to locate this matter in the context of the job of that Police Service Commission in playing a major role in oversight over the Police Commissioner and the Deputy Police Commissioner who have direct responsibility for the functioning of the police service in Trinidad and Tobago.

I do not wish to examine the process of appointment which the Member for Arouca/Maloney explained, but I do want to address, as identified in the Constitution, what the Police Service Commission has power to do, and that is

located in the Constitution on page 97, section 123(1) where it says that:

“The Police Service Commission shall have the power to—

- (a) appoint persons to hold or act in the office of Commissioner and Deputy Commissioner of Police;”

So they actually make the recommendations for the appointment which ultimately is scrutinized by Parliament. They:

“(b) make appointments on promotion and to confirm appointments;”

Which means to say that they really manage the human resource appointment process in the police service. They can:

“(c) remove from office and exercise disciplinary control over persons holding or acting in the offices specified in paragraph (a);”

So that they have disciplinary powers under the Constitution really, after matters are referred to them, to deal with actions that are contrary to the best interest of the functioning of the police service. They:

“(e) prepare annual performance appraisal report in such a form as may be prescribed by the Police Service Commission respecting and for the information of the Commissioner or Deputy Commissioner of Police;”

So they appraise the Commissioner of Police. They appraise the Deputy Commissioner because the Deputy Commissioner and the Police Commissioner are accountable to them. They:

“(f) hear and determine appeals from decisions of the Commissioner of Police...”

So that means that if there are people who are aggrieved after decisions are made by the Police Commissioner or any person to whom the powers of the Commissioner of Police had been delegated in relation to appointments or

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promotions, or as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police, they address that particular issue.

“(2) The Police Service Commission shall nominate persons for appointment to the offices specified...”

This is Commissioner and Deputy, and basically it explains how the process eventually comes to Parliament for the appointment of a Commissioner or Deputy Commissioner of Police.

So having gone through the process by which the President consults with the Prime Minister, after perhaps selecting a person whom he feels is appropriate, then he consults with the Leader of the Opposition, and after that consultation the matter comes here, the person comes here for review and ratification, and eventually appointment. Having noted this process and understanding what the jobs of the Commissioners are, and what the role of the Commission is, I think that it would be appropriate then to look at the credentials of this individual and to assess the value of these credentials.

I think what we have here are impeccable credentials of someone who is most appropriate to be appointed to this office. This is a person who has served the country well, this is a person who has an excellent profile in terms of military service and who has served the country in various places, this is a person who I have had, in various offices that I have held, the opportunity to interact with on occasion in the function of his duties and responsibilities or in interaction on things that allowed us to be in the same place at the same time, and I have no doubt whatsoever that the person that is before us here today, Commodore Anthony Stafford Franklin HBM ED PSC, is someone who is an appropriate person to be appointed as a Commissioner.

So we do not have a problem with the credentials, we do not have a problem with the person, and we certainly do not have a problem with the constitutional process. I think where the issues become challenging are where the police commission has to execute its function, and the end result of the execution of this function in relation to the whole hierarchy of rules within the police service, and the entire architecture of the Ministry of National Security and its operations and ultimately the results which are results that have to do with the welfare and well-being, the peace, security and safety of citizens and ultimately the well-being of the nation.

3.00 p.m.

So what does the police commission do? I mentioned some of that from the Constitution and I outlined some of the issues related to the work of the Commission and it is clear that they have an important role and function. They have oversight over the Commissioner, they have oversight over the Deputy Police Commissioner. They report to them in a way and there is an appraisal of these people every six months or so. And I suspect that this relates to plans or policies or targets that the police sets for itself with the Commissioner as head and then ultimately, of course, accountable to the Minister of National Security and indeed, the Commission.

So I want to look a little bit at this Police Service Commission Annual Report. I will not spend very much time on this, Madam Speaker, but I simply wanted to take a note of some of the things that the Commission said at the end of 2014 about its functioning and what were some of the issues. They identified challenges as a police commission that were both operational and institutional and I think we need to take note of this because what it means is that although you may

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have good men and good women and good citizens and very, very capable people on the Commission, you can still have an issue or problems or challenges having to do with how the institution functions and how, in fact, they manage or monitor the operational aspects of the work of the police service. So I want to raise that issue.

The second thing I want to raise—and I am raising this from the Police Service Commission Annual Report of 2014—is the issue of accountability. One of the things said here on page 23 of the report that I have in my hand is that the current regulations do not outline the procedure to discipline persons holding or acting in the offices of Commissioner of Police and Deputy Commissioner of Police.

So here you have a situation in which the Constitution outlines that the Police Commissioner and the Deputy Commissioner are accountable to the Police Service Commission, and the Police Service Commission has jurisdiction over them, but it does not outline the procedure by which the Commission can, in fact, do its work or effect the decisions it might want to make. So this is something that I think is what you might call a systemic issue, a problem in the system that needs to be solved. This is not to accuse anybody of anything or to blame anyone for anything. It is simply to point out that a previous Police Service Commission, taking into account its own functioning, drew this to the attention of basically the Government and Parliament, and this was laid here, I think, a few months ago.

“Under these Regulations...”

And I am quoting here from page 23:

“...disciplinary control over Police Officers falls under the jurisdiction of the Commissioner of Police but the Regulations are silent on the disciplinary procedure as it relates to persons holding or acting in the

PSC Nomination of Commodore
Anthony Stafford Franklin (cont'd)
Dr. B. Tewarie (cont'd)

offices of Commissioner of Police and Deputy Commissioner of Police.”

So it simply elaborates on that point and says that there is an issue, and I wish to draw this to the attention of the Parliament and to the Minister of National Security and to the Leader of the House who presented this particular Motion today.

Under “Expectations for 2015”, that is the headline on the page that I am reading from page 24, it talks about the need to finalize:

“...a new selection process by the relevant authorities to select and appoint a Commissioner of Police and Deputy Commissioners of Police to fill the outstanding vacant positions;”

I think that recommendation was taken by the Government of Trinidad and Tobago, the current administration, and in the legislation that they brought though, the matter became even more complicated because in the process, the matter was tested in court, and the decision of the court suggested that the legislation, in fact, permitted political interference in what is supposed to be the independent work and jurisdiction of the Police Service Commission. And the Member for Arouca/Maloney did talk about the independent commission and I want to state how important it is, and when she misinterpreted a statement by one of my colleagues on this side to suggest that he might have been suggesting that the person is of a certain political party, the—[*Interruption*]

Hon. Members: He said.

Mr. Charles: I did not say that.

Dr. B. Tewarie: She protested and she indicated that this was an independent commission and I want to assume that this is an independent commission, and I want to assume that citizens, whatever their political alignment or whoever they might have voted in in the last election, or will vote for in the next election, will

understand that there is a difference between political choice and preference or political alignment and public duty and national responsibility.

I want to give all commissioners and certainly this gentleman—about whom I have no reason to doubt his integrity and commitment to the nation—I want to say that giving all of this the benefit of the doubt and taking the Minister at her word, that we are talking about these independent institutions, we will understand, supported by the decision of the court, that the job of this institution is to make the recommendations to the Parliament for the appointment of commissioner and that there is a process by which that is done and Parliament has the last say.

There has been, in the past, at least one instance in which a commissioner was recommended and the Parliament voted at that time against the recommendation. So Parliament does have the power, the jurisdiction, the authority, to say yea or nay, and I want to say that when—[*Crosstalk*] No, we did not do it too. When we did it, we went along with the recommendations. So the completion—[*Continuous crosstalk*]

Madam Speaker: Order. Member, I would say do not be distracted by the crosstalk and—

Dr. B. Tewarie: Yes, thank you very much, Madam Speaker. But if I were Members on the other side, I would not talk about things like lies and untruths and so on, you know. [*Desk thumping*] In the “Expectations for 2015”, it says here:

“The completion of the Police Service Commission Regulations;”

I am not sure, maybe the hon. Minister could help me, if those have been since done. Have they been done or are they still outstanding? Well, that would be something that we want to make available and then:

“The completion and furnishing of the courtroom at its Tunapuna location

with adequate infrastructure for Appeal hearings.”

That has been done, hon. Attorney General? Yes. Okay.

So those are things that they said would help the commission and it is simply the recommendation of a former Police Service Commission saying that these things would help, notwithstanding the difficulties, the bugbears, the challenges, that these things would help in the process. And I am simply pointing out that if we are to move forward, then the things that make sense from the learnings that we have had and from the experience given, we should carry them forward in order to advance the cause of progress in the nation.

This page 24 ends, from the Police Service Commission Report of 2014, by saying:

“The Police Service Commission is committed to fulfilling its constitutional mandate which in turn has implications for the quality of performance and service of the Trinidad and Tobago Police Service. The Commission will continue to consult with relevant agencies to have these challenges resolved so that it would be able to discharge the functions of its office efficiently and effectively.”

Now, that was another commission but we have the reality of continuity of Government and governance to which the Leader of Government Business alluded to in another presentation that she made here today. But what I want to point out is that the Police Service Commission recognized in this report is committed to fulfilling its constitutional mandate which in turn has implications for the quality of performance and service of the Trinidad and Tobago Police Service.

So there is a recognition in this report and there is a recognition by previous commissioners, and I have no doubt by the current group of commissioners, both

appointed and to be appointed, that what they do directly affects, not just the Commissioner of Police and the Deputy Commissioner of Police, but affects the performance of the police service and ultimately therefore, the results that are delivered by the police service in Trinidad and Tobago and ultimately the impact that this has on the people of Trinidad and Tobago as citizens. So when we look at the report and we take into account the Police Service Commission and its functionings, according to the Constitution, there is a link between the functioning of the Police Service Commission, performance of the Police Commissioner and performance of the police service.

So the question arises how well has this been done over the years and how can it be done better and how well is it being done now, and I think we need to take this into account as we make these appointments. Because the national security architecture here is very, very complex. You have several jurisdictional issues. So that for instance, while the Police Service Commission has responsibility for the Police Commissioner and the Deputy Police Commissioner, you have a Police Complaints Authority that deals with other officers of the police service, et cetera.

So that the thing is quite diffuse and the way the structure is, for instance, you sometimes have to ask the question—I mean, you have a Minister, yes it is true, above him, you have the National Security Council, you have the individual leaders of institutions. So that there is Police Commissioner, yes, and there is someone in charge of the entire military and then there is a fire service, et cetera—you have the prison service. Each of these have heads. The commander is in charge of all the military, both the navy—what you call the coast guard, the army and indeed the air guard and he is in charge of that. And the Minister stands above

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that and they are all accountable to him and he is accountable to the country and to the citizenry for national security, but there is a command, a system, that sometimes can be quite cumbersome in its execution.

And I want to acknowledge that in making the case, for instance, of what is happening in central Trinidad in terms of the situation there and the functioning of the police service in the context of central Trinidad. And there is a direct link—
[*Interruption*]

Madam Speaker: Member, I have allowed you some leeway but I want to remind you of the subject matter of the Motion and maybe you can tie in what you would like to say to the subject matter, please.

Dr. B. Tewarie: Yes. I would not stray unduly, Madam Speaker, and I ask you give me some leeway and I am not going to make this a debate about crime, if that is your concern. I am just—[*Crosstalk*]—stop assuming.

Madam Speaker: Whether or not, the point about is that we have a particular subject matter and I would like us to stick to that and, therefore, pull whatever you wish to say into relation of that.

Dr. B. Tewarie: Yes, I will speak directly to the issues here. I want to take the issue of central Trinidad because it is a good example and I want to start with my own constituency. In my constituency, let us say over the last year and a half or so, we have had several rather serious cases of violence of different kinds. One of the last ones was a situation in which six people were shot at, three people I think died.

Madam Speaker: Hon. Member, I think you understood the caution. Remember, we are talking about a nomination to the Police Service Commission and while I understood that you are trying to show the state of the Police Service Commission

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in relationship to the appointment, this is not a debate about the police service, it is not a debate about crime or any such thing. So I would like to caution you and therefore ask you to not stray as you intended not to do and come back to the Motion, please.

Dr. B. Tewarie: You see, when it comes, Madam Speaker, to the assessment for instance of the commissioner or deputy commissioner or both of them as head of the police service, because of the structure and given the role of the police service, does not something like the management of police resources on the ground, the deployment of resources on the ground, the results that accrue because of how these things are done so that the results of management are, in fact, manifested by numbers, by things that are tangible, are those things not important? And I was simply going to make the point that in central Trinidad, although we have had crime situations and we have had hot-spot situations, let us say like Enterprise and where the Enterprise area has gotten, I think, fairly prime attention—*[Interruption]*

Madam Speaker: Back to what I cautioned you about, Member, and maybe what you want to say is relevant, but I think maybe you need to approach it another way.

Dr. B. Tewarie: Thank you, Madam Speaker. I want to make a point about resources and the deployment of resources and part of my responsibility here is to speak on behalf of my constituents. And if you have a situation where in central Trinidad, you have a limited number of police stations. You have Couva, you have Chaguanas, you have Cunupia, you have Freeport, you have Gran Couva, et cetera and you have a situation in which there is a concentrated challenge in Enterprise for which resources are deployed.

Madam Speaker: And again, Member, I again caution that this is with respect to the nomination of a particular person to the Police Service Commission and I

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would ask you come back to that or if not, if you have difficulty in doing so, then to move on to your next point, please.

Dr. B. Tewarie: Yes. Well, I think the deployment of resources in a reasonable and fair way should be one of the ways—and therefore the results that attend to that are one of the ways by which the effectiveness of the Police Commissioner and the Deputy Commissioner should be judged. Because, I mean, you cannot tell me you have a country with X number of police stations and a country in which X number of police stations are manned by a head of that police station, whether that person happens to be a sergeant or an inspector.

Madam Speaker: And in terms of the matter before us, that is where we are coming with relevance, we are not talking about the Commissioner of Police or the Acting Commissioner of Police or the police service and therein lies the difficulty that I am experiencing, Member. The point about it is that as Chair, my responsibility is to rule on relevance and therefore I am saying if you could move on. Because I think I have given you sufficient leeway to try and show me the relevance and maybe you should move on to another point.

Dr. B. Tewarie: Yeah, well it is difficult to say much on a situation in which what you have been handed really is a CV of a person and you are asked to approve and you cannot speak contextually to the meaning of the approval. Madam Speaker, I am not trying to be difficult and I am certainly not trying to carry the debate in a context that defies rationality in relation to the Motion that we are debating here. But I mean, to talk about my constituency or the situation in central Trinidad in relation to the functioning of the police service and the management of the police service and the role of the Police Service Commission is not, in my view, unreasonable and certainly not irrelevant. I do not think people who—

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[Interruption]

Madam Speaker: Member, please, I am sure you do not intend to challenge the ruling. I have expressed the view and, therefore, if you can please proceed to your next point. Thank you.

Dr. B. Tewarie: I have no intention of challenging the ruling of the Speaker and I simply wanted to make a contribution that was relevant to my role as a Member of Parliament and representative for Caroni Central and to do justice to the papers before us which consist of the curriculum vitae of Commodore Franklin. And I mean, if I were to talk on the personality, I do not think that is the job of a parliamentarian. The Member for Arouca/Maloney presented all of his credentials. I mean, I do not want to go into it—I have no reason to question his credentials. They are quite valid and his contribution to the country is significant. And if that is the limit of my role, Madam Speaker, I might as well simply end my contribution here today. *[Desk thumping]*

The Minister of State in the Ministry of Education (Hon. Dr. Lovell Francis): Good afternoon, Madam Speaker. Good afternoon to Members of the House on both sides. It is a particular pleasure of mine to stand this evening and to support the Motion of my colleague in terms of the recommendation for the final member of the Police Service Commission. I am pleased and proud to stand and to support Government and its decision in terms of this fourth and final member.

Madam Speaker, there is no point in rehashing the CV of this very well-established gentleman. There is no point, as the Member for Caroni Central has said, in talking about his personality. What is significant in all of this is to understand, at this point, the tremendous importance of having a well-established and fully functional Police Service Commission.

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Now, Members on both sides of this House are quite aware of the significance of the service commissions and the critical role that they play in having effective governance in this nation. So it is tremendously important that we ensure that we have the right credentials, the right abilities composing parts of these commissions. It is perhaps relevant to look when these commissions may not at times function as effectively as they can and not to cast aspersions on senior public officials or on how they function, I could talk about, to make a comparison, Madam Speaker, looking at the present Teaching Service Commission.

Now, we at the Ministry of Education face a particular and peculiar problem right now in terms of very, very critical personnel in our Ministry. For example, we have a situation where—[*Interruption*]

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

Madam Speaker: Member, I am going to give you a little leeway but I think you should very quickly make the connection with what you are saying and what is before us.

Hon. Dr. L. Francis: Madam Speaker, the point I am trying to make is that just in the same way that appointing someone who is competent and efficient and effective or potentially effective in the Police Service Commission, the same applies to other commissions. And for example, right now, we face a particular situation where we have a number of critical officers in the entire teaching service that are in acting positions, over 400, in fact—principals, heads of departments, deans—who have not been appointed to substantive posts for a number of years.

It has created a situation where it has been difficult to manage significant parts of the education system simply because people do not feel empowered in the positions that they have held. In fact, it would not be erroneous to conclude that a

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number of the situations that we face in the school system in terms of the management of schools, in terms of the discipline of students, has to do with the fact that officers who hold significant positions, because of the fact that they are acting, do not feel sufficiently empowered to carry out their duties.

So, the point is this, Madam Speaker, whereas in this nation, we tend to focus in a significant way, very much important, on the way Government functions, on the way Ministers function, on the way Ministries carry about their business, it is also critical that these arms of governance that we sometimes do not see as significant are populated by people who will work well in the national interest. And from the very impressive CV that has been presented to us, it is quite clear that the individual that has been chosen for this post has the attributes, has been a patriot who has served his nation well, and one would conclude that, given the opportunity to serve on the Police Service Commission, he will carry forward what has been a very stellar career in one area into another area of national service.

So, Madam Speaker, the Police Service Commission is tremendously important. More so at a time when, as I have said before, we are facing peculiar circumstances in terms of what is a very, very, very vivid crime situation. So I really want to commend anyone who has that desire and that patriotism to stand forth and put themselves in the position of serving on an institution of this kind at this very critical juncture. So it is my great pleasure to stand and to support the measure of my colleague and I lend my support to the choice of the Government.

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

3.30 p.m.

Dr. Surujrattan Rambachan (*Tabaquite*): Thank you very much, Madam Speaker. Madam Speaker, I too would like to echo the sentiments of the House

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and the sentiments of my colleagues on this side in supporting the nomination of Commodore Anthony Strafford Franklin (Ret.) as a member of the Police Service Commission.

Madam Speaker, Commodore Franklin comes into this position, or will come in this position, a very important institution in Trinidad and Tobago, especially when as my colleague for Caroni Central so eloquently examined the roles and responsibilities of the Police Service Commission.

Madam Speaker, I think that, given the immense importance that this Commission plays in the appointment, the appraisal of commissioners and deputy commissioners, and given the impact and significance of the performance of the Commissioner of Police or Deputy Commissioners, in terms of the security of the nation and in the hope of the people of this country, that they can sleep, as it were, with their eyes open, I think it is very important that Commodore Franklin understands what he is coming into, and will be able to introduce important elements of reform and change into the way that the Police Service Commission functions, that will redound to the benefit of our country.

Madam Speaker, I am disappointed—when I began to do some research in this area, looking for reports from the Police Service Commission—that the last report I could find was a report for 2014, and that after almost two and a half years, we have not had a report for 2015, a report for 2016, and we are now into 2017. And the population and the Parliament, the Parliament in particular, and Members of Parliament, would want and do examine the performance of the Police Service Commission based upon the limited data, and I do say limited data, that is provided in the annual report of the Police Service Commission.

So I think that one of the things that Commodore Franklin would want to ask

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when he gets nominated is: why it is that the public is being denied for two years, the reports of the Police Service Commission so that it can make an evaluation of the performance of the Commission? I think that is very important and significant because there is some really useful information that is provided in these reports that are of benefit to the nation.

Madam Speaker, given the situation with respect criminal activity, given the proliferation of gangs and gangsterism, given the murder rate, you will agree with me that the people of this country are looking beyond the police service itself, are looking to institutions which influence the performance or can influence the performance of the police service and the Police Commissioner, looking to them for hope, and one institution like that is the Police Service Commission. And more and more you will find that the citizens of this country are growing in their aspiration for greater knowledge about how these institutions can impact upon the performance of the police service in this country.

And, Madam Speaker, while institutions have policies, and I am sure there are policies, there are rules, there are structures, there are regulations, there are processes by which the Police Service Commission will function, we must also remember that these institutions are led and managed by people, human beings, and therefore it is always of concern about the quality of persons who are appointed into these positions of immense importance.

And, I would hope, given what I have read in the very, very distinguished CV of Commodore Franklin, that Commodore Franklin would have beyond what he has in his CV in the particular circumstances, and the particular point in history in our country, that he would have the courage and conviction to carry out those roles and responsibilities as part of the team described in section 123(1)(d) of the

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Constitution of Trinidad and Tobago. I have no doubt that he is going to make a significant contribution.

Madam Speaker, this is one occasion I feel that we can learn a lesson from the appointment of Commodore Franklin, and I will tell you why. Commodore Franklin worked under the last administration. And, the Member for Arouca/Maloney in her contribution referred to it, and it is here on his CV which I may just say, between 2013 and 2016, he successfully led the project for constructing, commissioning and delivering 12 naval assets for the Trinidad and Tobago Coast Guard from a naval shipbuilding yard in the Netherlands. [*Desk thumping*]

So that, what we should learn from this is that there are people in this country who can make an effective contribution to this country despite whatever political allegiance that they have. And we must learn as a country, we must learn as an administration, to rise above politics, and to ensure that the best talents of this country are used for the benefit of this country. [*Desk thumping*] And what is significant for me is this, and this is what is important, Madam Speaker, today this country is benefiting from the use of 12 naval vessels. And had the Government not been convinced that Commodore Franklin would have made the right decisions in the choice of those vessels from the previous administration, they may not have brought his name here. And this is what I mean.

It is very good to know, that in the appointment of Commodore Franklin, we have an endorsement of the type of vessels that were brought to this country and for which Commodore Franklin was responsible [*Desk thumping*] and I think that is very, very important. And, I commend, I commend everyone responsible for bringing his name forward.

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Secondly Madam, Speaker, the second lesson I think that is very important is this—we spoke, in this administration about the blue economy, the green economy and the silver economy. And the silver economy has to do with the recognition that people are never too old to make a contribution to their society. [*Desk thumping*]

Madam Speaker, I do not intend to retire, for example, from life. Last week I was 68 years old, proud 68. Madam Speaker, I do not intend to retire. I intend to go on and I think that we must recognize that in every one in the society, no matter what their age, they have something to contribute and we must never look—you know why, Madam Speaker? Because we are a nation short on human resources. We are a nation short on good human resources and we must never discard the importance of experience [*Desk thumping*] to help us to mentor the future and to mentor the generations of the future.

And it will be good in the future if also some younger members of our society can be put on the Police Service Commission so that they can benefit from that experience that Commodore Franklin and others would bring into the mix.

Madam Speaker, I am concerned about one of the particular functions of the Commission. And, of course, that is given in the roles and responsibilities in which, according to the Constitution (Amdt.) Act of 2006/2007, was introduced the new function of appointment and removal of the Commissioners of Police and the Deputy Commissioners of Police. What I am concerned about is what criteria are used in order to appraise? What criteria are used by the Commission to appraise a Commissioner of Police or a Deputy Commissioner of Police? What performance criteria are used?

For example, do we as a Parliament know what goals are set for the

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Commissioner of Police or the Acting Commissioner or the Deputy Commissioners? What goals are set?—so that as a Parliament and as a country we can know whether those goals are being achieved. Or are we just to accept that the Commission has extended the contract of the person for another six months or another three years or what have you? I think through this Parliament, we have the right to know this and to pass it on to the country. And I think that one of the things Commodore Franklin will do very usefully when he gets there is to probably look at the criteria by which you evaluate a Commissioner of Police or a Deputy Commissioner of Police.

What I do note in the report of the Commission is that they did say that, on page 21 of the report:

A review of the appraisal methodology was undertaken with activities and discussions focused on methodology, design of worksheets, appraisal format and the responsibilities of the Commissioner of Police and Deputy Commissioners and that consideration was given to the need for clarification of the existing process and the movement towards a more comprehensive appraisal method.

Through the workshop the Commission and the secretariat were able to generate ideas to contribute to the enhancement of the performance appraisal process to be addressed in 2015.

We are in 2017 now. But as a Parliament, we do not know whether they have improved on this. We do not know whether this has been introduced.

Madam Speaker, it is important that I say this. It is very important, extremely important. Because if this commission has the role of renewing the contracts of people, of hiring and firing people, and Madam Speaker, if the

country, if there is a perception in the country—and perhaps more than a perception, because perception equals reality—that the performance of the police service is low and not acceptable, then while the Commission cannot speak about the generality of the police service, it can speak about those who leave the service and those who come under its purview.

And given the situation that exists, given the rumblings we hear in the police service, to what extent is the evaluation process reflective of the feelings of the country and of the people who are managing the police service? And I think this is important. This is very, very important. Because I did see in the report that the Police Service Commission used two particular methods to gather information to evaluate the Police Commissioner.

So during 2014, the Police Service Commission's Secretariat completed an internal survey of 1,209 members of the Trinidad and Tobago Police Service to collect data from police officers from the rank of police constable to police inspector for every division and various units. And what they captured was the perception of respondents with respect to the management of the Trinidad and Tobago Police Service, the working environment, service delivery and the TTPS programme of work for the year 2014.

Now, Madam Speaker, it will be interesting for you to note something. They talked here about the management of the TTPS and the working environment. What are the responsibilities of the Commissioner of Police? What is the job description? But beyond the job description, what are the goals? What targets does he have to achieve? Because I will tell you something. If it is that the Police Commissioner, by the amendment to the Act in 2006/2007, was given full charge of the police service, then, Madam Speaker, you know what I want to

know? How come a sergeant of police and policemen have to come to my office from the Gasparillo Police Station, on a regular basis, to get photocopies of charge sheets and time sheets, including this morning? I want to say here that I hope that by my saying this that nobody goes and discriminates against Sergeant Maraj at the Gasparillo Police Station. The public were there when he came to my office and I am saying this and I will defend him. Because the policeman is only doing his job. He could not find the resources in the Gasparillo Police Station and he was taking the trouble to do it, Madam Speaker. Right? So is that not the kind of thing they should also find out and whether the Commissioner of Police, whom they are charged to evaluate, is doing his job as he is supposed to do his job, Madam Speaker?

Madam Speaker, if you are talking about the police service and you are talking about the Commissioner of Police and your role and responsibility is to collect data to evaluate the Police Commissioner, because there was another thing they did. A public perception and satisfaction survey, which engaged 1,000 members of the general public was conducted in 2014, as part of the research to monitor and evaluate the responsibilities of the Police Service Commission and to obtain information for the annual appraisal and evaluation of the Commissioner of Police and Deputy Commissioners. Now, the Commissioner of Police and his Deputy Commissioners are in charge of police stations. They are in charge of police stations.

Madam Speaker, I will use a personal example to deal with this matter. On Saturday night last—you see, because when we talk about collecting information from the public sometimes the personal story is the most important story—we noticed a car at 11.30, parked in our street. We know that there were several

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break-ins in two buildings in that area. We know of a building there on that street, Madam Speaker, in which there is an ex-convict living. There are many, many activities going on there in the night. There are foreigners who are also coming in and out of that building. Madam Speaker, I will get emotional if I speak about this because this thing bothers me because what I am going to tell you is going to shock you.

So at 1.15 in the morning, when I could not take it again, monitoring this, I asked my son to let us go downstairs, open the gate, take the car and go to the police station and I went to the Chaguanas Police Station at 1.15 in the morning, concerned as I was. Six police officers are sitting in the station. Madam Speaker, I waited 15 minutes before one said to me: Good morning. Good morning, yeah, at 1.15 in the morning, until somebody told an officer inside, MP Rambachan is outside, and he came and asked me what he could do for me. I told him what it is. I went back home and they sent a patrol just to move around in the area.

Now, you might find this to be a “jokey” story. You might find it to be irrelevant but it is relevant in terms of what we are doing here. How are you gathering data really, from the public to tell you about the performance of the Commissioner of Police? If you are doing these public perception and satisfaction surveys, Madam Speaker, then tell me who are you collecting this data from and how is it being used in your evaluation exercises? And I think that Commodore Franklin would have a role.

Madam Speaker, I would not read these out to you. I would give you the dates: September 19, 2016, letter to the Superintendent of Police, Central Division. Let us go back. November 13, 2015, letter to Superintendent of Police, Central Division; December 16, 2016, letter again. Madam Speaker, none of these have

been replied to, not one, not one, Madam Speaker. Not one, Madam Speaker.

Madam Speaker, I have called and spoken to the Superintendent in charge of the station now. He has promised to do many things. Not one thing has been done. And you are evaluating the Commissioner of Police. On what criteria are you evaluating the Commissioner of Police? Madam Speaker, I put myself at risk in this Parliament but I can no longer as a citizen of this country take the nonsense, Madam Speaker, that is going on, with respect to the lives of citizens and their protection and the way they are being treated. And if a Member of Parliament can be treated like that, what about the ordinary citizen of this country? What about it?

That is why, Madam Speaker, I am very happy that both sides of the House can support a person of the distinction of Commodore Franklin, and having interacted with Commodore Franklin that is why I can say what I can say and ask him, as we support his nomination, to make the kinds of interventions at the level of the Police Service Commission that would be meaningful change in this country, Madam Speaker. That is what I am suggesting and that is what I am asking.

And therefore, I am saying that if you want to do public perception and satisfaction surveys, then let us have it done. Maybe the Police Service Commission should ask people in groups. They should go to communities and have group sessions, where people can come and speak about their experiences, so they could then understand whether the police service is being led in the way the police service should be led.

The hon. Prime Minister said recently it is the duty of the police, not necessarily him, to deal with crime. Maybe he is right. If he is correct, then who?

Are we doing a proper evaluation of those who have been charged with the authority to manage the police and the performance of the police?

Madam Speaker, the other thing I noted of very, very importance in this document is that they do visit police stations. They do visit police stations, the Commission, and they visited in 2014, seven police stations. Seven police stations they visited. The issue is highlighted: poor working conditions, benefits, training opportunities, procedures relating to promotions and the transfer of police officers and the performance management appraisal system. But who is in charge of the performance management appraisal system of the police or policemen?

Madam Speaker, what can the Police Service Commission, what should they do about the fact that I heard from the Minister of National Security that we should have an establishment of 7,400 or 7,700 police officers but we only have 5,400 police officers? I think there was a gap of 2,500. What can the Police Service Commission do to influence that this gap be filled? Because I have made the point repeatedly in this Parliament that if you have 5,400 officers or 5,500 officers and you are working on shifts, then only half of your officers are there at any one point in time in the country and then you take people on absenteeism, people on leave and people on sick and so on. You do not have the kind of officers that the country may think that you have on the streets of the country.

So the Police Service Commission has to ask questions of the Police Commissioner about that. Why is it that you are failing to attract people into the police service? Why? What are you doing as a Police Service Commission, when you call in the Police Service Commissioner under roles and responsibility and evaluate his performance, ask him what he is doing to attract also people who are graduating from the University of the West Indies to come into the police service?

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What are the criteria in which you are using to evaluate the Commissioner, Madam Speaker?

Madam Speaker, when the Police Service Commission, in 2014, visited Tobago and they had a stakeholders meeting with the Hotel and Tourism Association, Chamber of Commerce, secondary schools, and so on, there were four things that they were told, the Police Service Commission. One was the strength of the police service. That was raised and that is what I am raising here, the strength of the police service. Do they have a role to play in that? For example, should they set a goal for the Commissioner of Police? Should they set a goal for him as to how many people he should recruit and train in any year? Of course the question that would be: where is he going to get the resources to do it? Well, if he is in charge he has to negotiate the resources with the Minister of National Security. Is he doing that? Why is the police service then remaining depleted, in terms of that gap of 2,500 officers?

Madam Speaker, they talked about the enhancement of the image of the police service. Madam Speaker, you know the image of the police service is not going to be enhanced if you have officers in the police service who are not quickly brought to discipline by the Commissioner of Police for leaking the schedule of roadblocks that were to take place in a particular division, in that case, in central.

Madam Speaker, you see, what I am trying to say and what I hope I am impressing upon Commodore Franklin, who I support, is that you have to introduce some serious change in the way the Police Service Commission operates and especially how you evaluate the Commissioner of Police and the Deputy Commissioner of Police. You have to do it, because I am not satisfied that the Police Service Commission is achieving the results that they should achieve to the

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benefit of the country. I am not sure that is happening, Madam Speaker.

And then, the importance of customer service was raised also by the people in Tobago. I gave you my own example of 1.15 in the morning, and what you have. Madam Speaker, the commission, of course, assured the stakeholders that they will do all they could to address the concerns with the Commissioner of Police. Were they addressed? Did the Police Service Commission go back to the people of Tobago and say what we have asked the Commission to do in order to improve customer service and how?

You see, Madam Speaker, you know, one of the tragedies of our society is that we are very good analysts. We are very good talkers. We know everything under the sun, what has to be done in this country. But, Madam Speaker, are we capable of doing it? At least we were capable of bringing 12 boats and Commodore Franklin was part of that process. [*Desk thumping*] You asked, speak for yourself. Performance is what counts at the end of the day. Performance is what counts at the end of the day and delivery and the satisfaction of your citizens.

So, Madam Speaker, these are some of the points that I wanted to make in standing in support of the nomination of Commodore Franklin. But there is one last point I would like to make, Madam Speaker. Something that has always bothered me, and it is this matter. Before the Police Service Commission makes an appointment to the office of Commissioner or Deputy Commissioner of Police, it shall consult the Prime Minister and a person shall not be appointed to such an office if the Prime Minister signifies to the Police Service Commission his objection to the appointment of that person to such an office. That is an important thing. We need to think about that, because we have to be very careful in societies as a whole, that we do not allow what should be an independent and apolitical

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office to ever become political or to be politically manipulated, especially in a small society and especially in what can become a very divisive society like Trinidad and Tobago, Madam Speaker.

Madam Speaker, with these words, I would also like to conclude by asking our new nominee to look at the training and development of the staff at the Police Service Commission. There are lots of problems there. For example, the electronic document system there has not been put into effect. For years they have been talking about the electronic documentation and it has not been, in my view—document management, EDMS. The Electronic Document Management System has not been brought into operation and I think that that has to be dealt with. I think also that there is still the question of adequate staffing. The issue of the non-completion of the Tunapuna location was raised by my colleague.

But on the whole, I would like to see this Police Service Commission visit all the police stations, including the eight that were built by the people's administration and to use those as a standard by which all policemen will enjoy similar conditions across the country, Madam Speaker.

You know, because you have to have proper working conditions for people to be inspired to work "eh". At the end of the day you really cannot motivate people, "eh". People have to motivate themselves, but motivation is a function; one of the functions of several things, including leadership and the environment in which they function, and I think the Police Service Commission has to go and visit, to see whether the Police Commissioner and Deputy Police Commissioners are doing the job they are supposed to do of ensuring that resources are allocated to the police stations to make life comfortable for the policemen in those particular areas, Madam Speaker.

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So, these are some of the issues that I wanted to raise, and I thank you for allowing me this intervention, Madam Speaker, and I fully support, along with my colleagues, the appointment of Commodore Franklin. [*Desk thumping*]

4.00 p.m.

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam Speaker. Madam Speaker I rise in support of the Motion to nominate Commodore Anthony Stafford Franklin to be appointed as a member of the Police Service Commission. Madam Speaker, to my mind, this Motion is a very simple one. It is one that determines whether Commodore Anthony Stafford Franklin suits the requirement based on qualifications and experience as the fourth member of the Police Service Commission.

We heard mention by the Member for Arouca/Maloney that the Police Service Commission presently has three members—the chairman and two members—and, therefore, Commodore Anthony Franklin will be the fourth member of that Commission. The Motion before us really is that whether or not he is suitable and qualified to serve as a member of the Police Service Commission. Madam Speaker, before I go into that, I cannot let a remark made by the Member for Tabaquite go through without making some comment.

He referred to a situation where a police officer by the name of Sergeant Maharaj—I do not know why he brought the Sergeant's name into the House. Sergeant Maharaj would have left a police station and photocopied a document in his office. You see, the problem I have with that is that there would be security implications, because why would a police officer go to a civilian office and photocopy a document? He may have left that perchance. He may have forgotten that document at the photocopy machine and, therefore, it may have been scanned.

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So, therefore, I have a serious problem with what you have brought to this House and, therefore, I would cause some investigation to find out why is that, because there are other resources that are made available. [*Desk thumping*] This Government has made resources available in the police stations, providing what is required in terms of doing their jobs effectively and efficiently. So I have a serious problem with that from the Member for Tabaquite. But the matter before us, Madam Speaker, is about the nomination of Commodore Anthony Stafford Franklin.

And so, when we look at Commodore Anthony Franklin's qualifications and while it has been read out in the House, I want to bring my own personal relationship with Commodore Anthony Stafford Franklin. Madam Speaker, I joined the Trinidad and Tobago Coast Guard in 1974 where I spent four years, and during that time I met Commodore Anthony Franklin. He was a very senior officer at the time. He was a Lieutenant at the time. I happened to also work with him when he was the Commanding Officer of the Coast Guard, and I can say that Commodore Anthony Franklin is an individual who has always been consistent; has always been intelligent; has always been devoted; and he will bring to bear, to my mind, in this nomination, a sort of a change agent in the Police Service Commission.

Madam Speaker Commodore Anthony Franklin shows, to my mind, because he has volunteered, he has volunteered for this job. He was not forced into this job. What he is showing is what I think is an example of patriotism, patriotism that is required in this country of Trinidad and Tobago, Madam Speaker—a patriotism that has been displayed by previous Chiefs of Defence Staff in serving the Government and the people of Trinidad and Tobago in different capacities. [*Desk*

thumping]

When one looks at Commodore Anthony Franklin's qualifications, you can see, Madam Speaker, that he has—and I would not go into it in any detail, but I need to highlight some of the salient points in terms of his military career, having moved in the coast guard and, again, I draw reference to the time when he entered the coast guard. When he entered the coast guard, Madam Speaker, it was a time when the coast guard started off with former police officers. There was a kinship, there was a linkage between what is happening in the police service now and in the coast guard. The coast guard started off, in fact, with police officers from the Police Marine Branch. That is how the coast guard started off, and Commodore Franklin joined the coast guard around that time.

So, therefore, the understanding of the police service and so on would have started from his very early career and have traded a sort of institutional memories and so on. As he moved through the ranks, he became the Commander of the Coast Guard and subsequently Chief of Defence Staff. One would have seen from his qualifications here, he would have acquired a certain kind of skill set, a certain kind of qualifications that would lead to what this matter before us is all about in terms of serving on the Police Service Commission.

When we talk about the Police Service Commission, Madam Speaker, it is about management of the police service—management of the police service insofar as the selection of the Commissioner of Police and the Deputy Commissioners of Police. Commodore Anthony Franklin brings, to my mind, as a member of the Police Service Commission, management skills, management skills that he would have acquired over the years; management skills as Commanding Officer of the Coast Guard; and management skills as the Chief of Defence Staff and you would

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see that backed up not only in terms of the practical experience, but also in academic experience.

So that when we look at what he brings to bear to the Police Service Commission, I think he is bringing a sort of a disciplined initiative, an academic background and, of course, experiential learning in his dealings with the nuances that he would have experienced as Chief of Defence Staff.

Commodore Anthony Franklin would also bring what he has done in experience in terms of his volunteerism, and one would have seen from his qualifications that he volunteered at several social organizations, several institutions. I believe at this juncture what is required in the Police Service Commission is someone who can bring a different kind of thinking. So there is a mixture of law, there is a mixture of a social background. Commodore Anthony Franklin brings a mixture of military management and one would see in his qualifications, he has had some dealings—as he has a Diploma in International Law from Sanremo, Italy. So I think he is, in fact, a candidate that would suit perfectly the nomination for a member of the Police Service Commission.

Madam Speaker, when one looks at the situation now with respect to Police Service Commission, one would recall that this Government brought to the House issues treating with the establishment of the Police Service Commission with the ways in which to fix the selection of the Police Commissioner and we started that since February. I remember as Minister then signing that Order on the 17th of February, 2016. We know for a fact that the Opposition then had some issues with it and they took it to court, and the court subsequently made some changes. Again, that has stymied our attempt to treat with the selection of Commissioner of Police and Deputy Commissioners of Police.

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At this stage, Madam Speaker, we are still, after so many years, without a substantive Commissioner of Police and Deputy Commissioner of Police. We are without a substantive Commissioner of Police, Madam Speaker, and the reason for that is, because to date we have not really gotten our act together with respect to the selection process. Where that selection process resides, it is with the Police Service Commission.

If we need to fix the issues within the police service, we have to start with the management of the police service and, in doing so, the management of the police service is directly responsible to the Police Service Commission. And, therefore, Madam Speaker, in treating with that, we must be able, as this august House is attempting to do today, we must be able to staff the Police Service Commission with the right people, with the qualified people to do the job that the Police Service Commission is trusted to do to manage the Trinidad and Tobago Police Service, to manage them effectively and efficiently.

So I want to say, Madam Speaker, based on my personal knowledge, based on my personal work experience, because I worked with Commodore Anthony Franklin. I worked with him, as I said, as a member of the coast guard and, subsequently, as a commissioned officer; I worked with him as a staff officer when he was Chief of Defence Staff. So I understand his thinking, I understand his methodology. I know for a fact that he is a strategic thinker. He thinks at a very strategic level and he is very action oriented. And so, in going forward, Madam Speaker, one would understand that this Government fully supports the nomination of Commodore Anthony Franklin.

I heard comments a while ago with respect to Commodore Franklin being in charge of the body that dealt with the Damen vessels. We recognize Commodore

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Franklin's worth, of course, because you see this Government is a responsible Government. We did not, as the last Government did, we had equally important people, experienced people, very experienced, who dealt with the offshore patrol vessels, which the last Government without any real in-depth analysis, without understanding the ramification of what they were doing, did away with the offshore patrol vessels and even the people who dealt with those. We, as a responsible Government, understand the importance, understand the work that Commodore Franklin and his team did, and so we accepted those vessels, notwithstanding because we understand that we are dealing with security and security has no political base. Security must be based on an in-depth understanding of what transpires. [*Desk thumping*]

So that when they talk about Commodore Anthony Franklin in terms of the Damen vessels, they must understand that the reason why they got there is because they took a bad decision in the first place to get away to deal with the offshore patrol vessels. That is why they got to the juncture where they had to go with the Damen vessels which was a mad rush. That is what they saying—a mad rush in 2015, but Commodore Franklin did his job as a learned, as an experienced military officer would do. He did his job effectively and efficiently and was able to successfully be part of that team who brought those vessels home.

So he has proven himself. He has continued to prove himself. We have seen his accolades. We have seen the number of medals and awards and so on he has received throughout his career. We have seen his dedication to duty. What you are seeing again is true patriotism. This is what is required at this point in time, Madam Speaker. Someone who, based on their experience, based on their understanding, comes forward and volunteers to serve at one of the highest levels

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and treat with one of the issues that confront us right now in the areas of crime and security. How do we set in place the proper management of the Police Service Commission so they in turn can effectively manage the upper level of the police service with respect to the Commissioner of Police and the Deputy Commissioner of Police?

Madam Speaker, I say to this august House that Commodore Anthony Franklin has certainly the amount of qualifications, has the experience and has the wherewithal to be an effective and efficient member of the Police Service Commission to be able, as I said before, to be as a game changer, because he will bring a set of different ideas, a different kind of understanding.

So it is my submission, Madam Speaker, that Commodore Anthony Franklin be supported in his thrust because I believe, and I sincerely believe that by putting in place the qualified personnel in the Police Service Commission it would redound to the proper management in terms of the analysis that should be done with respect to the performance of the Police Commissioner and the Deputy Police Commissioner, to redound to a better management of the police service.

It will bring new ideas and new issues and, at the end of the day, that would certainly redound to some of the issues that were mentioned by the MP for Tabaquite, some of the issues that were mentioned by the Member for Caroni Central with respect to treating with some of the drill-down issues in the police service at this point in time. It has to start. It must start, Madam Speaker, from the Police Service Commission which is why we are here today.

We are here today to treat with putting the Police Service Commission right, staffing it with the correct person, equipping them with the necessary equipment and so on but, more importantly, today is about treating with their human resource

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aspect, a properly qualified individual in the person of Commodore Anthony Franklin to be part and parcel of the Police Service Commission. Madam Speaker, I say that this would have the effect of changing the management structure, because I said I worked with him personally. I know what he will bring to the table in terms of his management and so on.

So, Madam Speaker, I simply say, the Motion before us deals with the nomination of Commodore Anthony Stafford Franklin, and I rest assured that he would do an excellent job and he has my support and the support of the Government of Trinidad and Tobago. Thank you very much, Madam Speaker.
[*Desk thumping*]

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. As I join this debate, I would try not to be long, given all that has been said before. Madam Speaker, we on the Opposition side, we support the appointment of Commodore Franklin. Listening to the Minister of National Security and the Member for Point Fortin on the accolades and the résumé of Commodore Franklin, I also want to join and thank him for his sterling contribution he has made to this country in the past, and what he will be making in the future as being a member of the Police Service Commission.

Madam Speaker, before I get into my short contribution, we must put in perspective what is the role of the Police Service Commission. And in doing my research on this, this evening, I had to go back to the *Hansard* of 16th of May 2014, when the hon. Prime Minister, then Opposition Leader, Member of Parliament for Diego Martin West, stated in his contribution—and at that time the Motion was on the appointment or the reappointment of Prof. Ramesh Deosaran as the Chairman of the Police Service Commission. The hon. Prime Minister, then Leader of the

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Opposition, stated in his contribution that:

“...the Police Service Commission sits at the pinnacle of the structure of management of the police service, and the police service has the responsibility to secure the population of Trinidad and Tobago.”

And I totally agree with him, that the police service and the Police Service Commission has the responsibility and the oversight over the Commissioners and Deputy Commissioners of Police who have the responsibility to secure the population of Trinidad and Tobago.

In his contribution on that Motion, Madam Speaker, he talked at that point in time:

“The household in Trinidad and Tobago, the streets have never been more insecure and, therefore, if that is the situation, then clearly, we cannot be heaping self-praise on ourselves about a wonderful job in the police service or the Police Service Commission...”

Madam Speaker, I still ask that question: Are the streets any safer today than they were back in 2014? And the answer is no.

In his contribution, Madam Speaker, the hon. Prime Minister, then Leader of the Opposition, at the end of his contribution he made two salient points and he said if anything else coming out of my Motion, my debate, he wanted to ensure that to the Government of the day:

“We need a manpower audit of the police service.”

I know recently, this year, on January 04, 2017, the hon. Prime Minister formed a committee or appointed a committee headed by Dr. Ramesh Deosaran to do a manpower audit of the police service and that audit, supposedly based on the media report, is due or was due on March 31, 2017. So I do not know if the hon.

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Prime Minister might be able to add some light into that manpower audit of the police service which is so critical for the Police Service Commission to be able to function in an effective way.

I listened to the Minister of National Security about the appointment of Commodore Franklin. He talked about him as being a change agent, bringing a wealth of management skills based on his practical experience and academic qualifications, a different kind of thinking: both military and management. I want to agree with the Minister of National Security that based on the CV of Commodore Franklin he would bring that kind of experience to bear as the fourth appointment on the Police Service Commission.

But if I was to reflect back, Madam Speaker, based on a news article on Thursday, February 09, 2017 by one Gail Alexander in the *Guardian*; she was interviewing the Chairman of Police Service Commission, Dr. Maria Therese Gomes about the Police Service Commission, and she—this is the Chairman of the Police Service Commission—was reporting that the Police Service Commission is being starved of funding, human resource and basic necessities to be able to function effectively and efficiently for the national security of this country, Madam Speaker.

So I am hoping that, at this point in time, now that we have a fourth member of the Police Service Commission in the ilk of Commodore Franklin that the Government of the day, through either the Attorney General or the Minister of National Security, would fully give the kind of resources, financial and otherwise, to the Police Service Commission given that he has just given such glowing credibility to Commodore Franklin and what he can bring to the Police Service Commission. So I hope Minister that that would happen.

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But saying that, Madam Speaker, Commodore Franklin brings to the table a wealth of management experience and one of the criteria or the powers of the Police Service Commission in the Constitution, 23 (1)(d) talks about monitoring the efficiency and effectiveness of the discharge of their functions of the police service.

Madam Speaker, one of the concerns coming out of a joint select public hearing of the Police Service Commission, the Police Service Commission reported in a public hearing, a joint select committee, over 200 appeals were submitted to the commission about the Commissioner of Police. So, presently, at that point in time—and this was this year, on February the 8th 2017, the hearing was held, the public hearing. It talked about 200 appeals brought against the Commissioner of Police for disciplinary or promotion issues.

One of the concerns of the Police Service Commission was that they felt, the Chairman felt at least the Chair or the Deputy Chair should be considered permanent positions, something similar to the Police Complaints Authority. I think they are permanent positions, Madam Speaker. Because when you look at the 200 appeals or the issues that are brought to the Police Service Commission, the question has to be asked, as part-time board members when would they be able to complete that sort of tribunal and give some verdict to those issues? Because what that does is that if these issues are not completed in a timely fashion, it really breaks down the police service and the morale of the police service in respect of treating with these matters, Madam Speaker.

The other aspect coming out of this Joint Select Committee in the public hearing, Madam Speaker, as my colleague, the Member for Tabaquite had mentioned, he talked about a report from the Police Service Commission—the last

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report was 2014. I do not know if the public or my colleagues are aware that the last appeal, not appeal, the last human resource performance appraisal, Madam Speaker, was done in 2014 for the Commissioner of Police and the Deputy Commissioner of Police. So 2015, is outstanding and 2016 is outstanding, Madam Speaker.

So that really and truly the Police Service Commissioners have a really tough job on their hands. I am hoping that the Prime Minister of the day would be able to shed some light on the manpower audit that was supposed to be completed, I said on March 31st, headed by Dr. Ramesh Deosaran.

The other issue, Madam Speaker, is that Commodore Franklin—and I hope he is able to bring some of his resources to bear on the commission by way of trying to ensure that there is some incentivization, even for the Commissioner of Police and the Deputy Commissioners, in trying to ensure that their standards that they are judged by are raised, and also you have the flip side of that, that there also may be some checks and balances on that, Madam Speaker.

So, Madam Speaker, we also came here—I remembered, I think December 2015, to pass some Orders about the criteria in selecting the Commissioner of Police and the Deputy Commissioner of Police, Madam Speaker, and it was passed right in this House. I think it went to court. It was challenged in the court and the Government of the day lost in the court on that. So that has now reverted back solely, I think back to the Police Service Commission to be the body that would then be responsible for ensuring that independence is placed on the Commissioner of Police and the Deputy Commissioners of Police, Madam Speaker.

So, Madam Speaker, those are some of the few points I wanted to raise. As I close, as we look at résumé qualifications of Commodore Franklin before us, there

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is no doubt he is qualified as all members have said; however, the tasks before him are numerous and pertinent and require him to use each iota of his experience and knowledge he has worked towards to the development of the Police Service Commission as he executes his mandate within the national security framework of Trinidad and Tobago.

Madam Speaker, however, it must be noted that this single appointment must not be done in isolation as this alone cannot make the PSC effective nor can this improve the crisis of crime facing Trinidad and Tobago. Madam Speaker, with those few words. I thank you. [*Desk thumping*]

The Minister of Planning and Development (Hon. Camille Robinson Regis):

Thank you very much, Madam Speaker. Madam Speaker, I would like to thank all Members who participated in the debate on this Motion. Madam Speaker, I would like to join with my colleague, the Member for Point Fortin and the Minister of National Security who denounced the behaviour of the police officer who went to the office of the Member for Tabaquite to make copies of documents because, Madam Speaker, it is passing strange that a member of the police should think that he had the right or even the need to go to the office of the Member of Parliament in the area.

Madam Speaker, I am really wondering if that officer now feels beholden to the Member for Tabaquite. Madam Speaker, it also brings me to ask the question: is it that kind of questionable behaviour that resulted in the same patrols and roadblocks being made public knowledge, that kind of questionable behaviour by a police officer? I join with my colleague, the Member for Point Fortin, who is the Minister of National Security and I am looking forward to that kind of thing being denounced and also an investigation being done into that kind of questionable

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behaviour. [*Desk thumping*]

But, Madam Speaker, it is not the first time that we have had questionable behaviour by police officers as it relates to Members on the other side. Madam Speaker, you would recall Officer Surajdeen Persad who said that he had been approached by the Prime Minister of the day, the Member for Siparia, when he wrote the list of all the PNM officers who should have been removed from the SIA. It is not the first time we are getting officers who feel that they could approach Members on the opposite side.

Madam Speaker, I also want to add, it is not the first—[*Crosstalk*] Madam Speaker, Surajdeen Persad had enough paper to write a whole letter to the Member for Siparia to tell her who were the PNM officers and who should be fired from the SIA. Madam Speaker, based on that letter those persons were fired. All were fired. [*Desk thumping*] So when they are talking about political interference in the police service, they are the ones who need to look at the kind of behaviour they perpetrated when they were in office. [*Desk thumping*] Madam Speaker, it does not stop there.

Madam Speaker, you remember the plant-like substance that was found at the home of the Member for Siparia while she was the Prime Minister and, again, police officers covered up that information. [*Crosstalk*]

Madam Speaker: Order!

Hon. C. Robinson-Regis: Madam Speaker, it is passing strange, and I hope the Member for Tabaquite remembers, the shooting. Do you remember that? Again, police officers involved in questionable behaviour. We on this side cannot condone that kind of behaviour by any officer and, again, I say, I join with the Member for Point Fortin in denouncing that kind of behaviour. [*Desk thumping*]

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We are trusting that that type of behaviour would be examined by the Police Commissioner; that it will be examined by the internal investigations unit of the police service and that Commodore Franklin, having served as a Chief of Defence Staff will ensure that that kind of thing is eliminated in the Police Service of Trinidad and Tobago.

Madam Speaker, I would also like to respond to the question that was asked regarding the manpower audit. Madam Speaker, the manpower audit was supposed to be concluded at the end of March of this year. However, the chairman of the audit committee has requested an extension to June 30, 2017. The request came to the Cabinet of Trinidad and Tobago which appointed the committee, and the request has been granted. We anticipate that by June 30th the audit will be completed and we will have the report of the audit committee.

Madam Speaker, I do not think there was anything else that I really need to respond to in relation to what was said by those on the other side. They have indicated their support for the nominee, and with those few words, Madam Speaker, I beg to move.

Question put and agreed to.

Resolved:

That the Notification of the nomination of Commodore Anthony Stafford Franklin be approved.

Madam Speaker: Members, it is now 4.29, and I therefore suggest that we take the suspension now, and we will return at five o'clock.

4.29 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Madam Speaker: Minister of Finance.

FIRE SERVICE (AMD.) BILL, 2017

Order for second reading read.

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. I can only presume that the absence of the Opposition indicates—[*Interruption*]. What is all this screaming about? The Opposition is absent, one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, 13 out of 18 are absent. [*Crosstalk*] What are you talking about?—that is mathematics. So I can only assume, Madam Speaker, the absence of the Opposition means that they are in complete support of this legislation. [*Desk thumping*] It is the only assumption I could have, the only conclusion I could arrive at. I will be extremely brief. The Bill before us, yes.

I beg to move:

That a Bill to amend the Fire Service Act, Chap. 35:50, be now read a second time.

I beg to move, again, that it be read for the second time. The Bill seeks to amend the Fifth Schedule to the Fire Service Act, Chap. 35:50. There are just two clauses, the first of which is the usual title and, therefore, this is essentially a one-clause Bill, and what the Bill seeks to do is to permit a fire officer who has acted in a higher position for a continuous period of at least three years, immediately prior to the date of compulsory retirement, or has acted in a higher position for a continuous period of at least three years, immediately prior to the date of when he proceeds on annual leave, before the date of compulsory retirement to be eligible for pension, gratuity and other allowances as if he was substantively appointed to the higher office.

Where an officer is eligible to the benefits of the higher office, he will be required to pay any contributions that would have been payable in the higher position. Any arrears of contribution would be calculated for each year that the fire officer would have acted in the higher position. The arrears would be deducted

either as a lump sum from the gratuity payable to the officer, or in equal monthly instalments over a period determined by the Controller of Accounts. The provisions of the Bill would apply retroactively to fire officers of the First and Second Divisions who have retired, or will be retiring on or after January 1st, 2008.

The benefit is being conferred on the fire officers, and, therefore, the presumption against retroactive legislation is not relevant in this Bill. The amendments would be inserted after clause 3(7) of the Fifth Schedule to the Fire Service Act, and this is a money Bill. The background to the Act, which is why I believe the Members opposite are in complete agreement, which is why they are still in the tea room. The Bill seeks to give effect to the memorandum of agreement between the Chief Personnel Officer and the Fire Service Association of Trinidad and Tobago, Second Division, dated March 6th, 2012, for the period January 1st, 2008, to December 31st, 2010. The agreement was ratified by Cabinet by Minute No. 643 of March 22nd, 2012. On that day, in March, 2012, Cabinet agreed that the Attorney General should amend the Fifth Schedule to the Fire Service Act to give effect to the terms of the agreement between the CPO and the Fire Service Association relating to pension arrangements.

To digress, the agreement between the CPO and the Fire Service Association also addressed other areas including salary, allowances, overtime, pension, and so on. The Bill follows other similar legislation that has been enacted since 2008 to give effect to agreements between the CPO and the PSA, and TTUTA, and so on, to allow public officers to have superannuation benefits of the higher position upon retirement. Other similar legislation and their effective dates of implementation are as follows: in January 2004, the Pensions Act was amended to give effect to similar terms, at the same time, Regulation 183A of the Police Service Regulations was amended; on January 1st, 2005, the Assisted Secondary School Teachers'

Pensions Act was amended to give effect to similar provisions; in January 1st, 2005, the Teachers' Pensions Act, Chap. 39:02, was amended to give effect to similar provisions; on January 1st, 2007, the Prison Service Act was amended to give effect to similar provisions, and in January, 2004, the Municipal Corporations (Pensions) Act was amended to give effect to similar provisions.

So what we are doing here today is regularizing a situation to allow a fire officer who has acted in a higher position for a continuous period of three years, prior to retirement, to receive the benefits of the higher office. The salient point, Madam Speaker, before I take my seat is that this matter was approved by Cabinet in 2012, and then the PP Government did nothing in 2012, in 2013, in 2014, and in 2015, it now falls to this Government to fix that lapse on the part of the PP Government.

I beg to move. [*Desk thumping*]

Question proposed.

Madam Speaker: Member for Couva South. [*Desk thumping*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker, and as I rise to make my contribution and intervention on behalf of the Opposition Bench in this debate, I want to place on record that the Opposition presence was here fully in relation to giving its attention and support to this particular piece of legislation. [*Desk thumping*] The Member for Diego Martin North/East, being a very experienced Member of Parliament, and, in fact, in his different portfolios, and so on, would understand from time to time Members of Parliament have different responsibilities, and some of my colleagues are indeed fulfilling their responsibilities at this particular time.

More importantly, Madam Speaker, I would have expected the Minister of Finance to say a little more on this particular piece of legislation, taking into

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consideration that he has a bit of experience in trade unionism and collective agreements, and so on, having served the President General of the—[*Interruption*]

Mr. Imbert: General Secretary.

Mr. R. Indarsingh:—as the General Secretary of the West Indies Group of University Teachers, WIGUT, the trade union. So I would have expected the Minister of Finance to be a little more in-depth in his contribution, but, like all things being equal, he has indicated that we are here to deal with something that is very important in the context of the fire officers of Trinidad and Tobago. The fire officers of Trinidad and Tobago are indeed an important stakeholder in the scheme of things as it relates to the stability of Trinidad and Tobago.

Madam Speaker, it has to do with the issue, or the very important issue of pension benefits, and, like all things being equal, whilst I make my intervention and contribution, I would want to indicate, or place on record, the Opposition's recognition of the worth and contribution of members of the fire service to the well-being of Trinidad and Tobago, [*Desk thumping*] because it is important to know that the fire officers of this country go beyond the call of duty. Madam Speaker, the Minister of Finance seems to be treating the fire officers of Trinidad and Tobago with his usual flippant behaviour, having moved this piece of legislation, and apparently he wants to hear nothing about the worth and contribution, and the importance of fire officers to Trinidad and Tobago.

Madam Speaker, Trinidad and Tobago is a signatory, a member of the International Labour Organization, and all things being equal, the International Labour Organization, Madam Speaker, in 2014 indicated that nearly half of the world's elderly receive no pension, whilst many of those who receive their pension benefits from time to time are seeing it fast disappearing in terms of the real purchasing power of their pension benefits, and so on. In a report of 2014, they

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indicated that over 48 per cent, or over the retirement age do receive pension levels which are not adequate. In this context, Madam Speaker, being a Member of the International Labour Organization, and having committed itself to the Decent Work Agenda, it is my hope that the Government of Trinidad and Tobago will begin to pursue a suite of legislation that it is in relation to the well-being of the workers agenda of Trinidad and Tobago, Madam Speaker. [*Desk thumping*]

Like all things being equal, Madam Speaker, within recent times, there have been a number of headlines in relation to the fire services of Trinidad and Tobago, for example, second blaze in two months at the same building, toddler dies in fire, baby dies in fire, fire hits old Ministry office in Port of Spain again, and burnt corpse found down Aripo precipice—[*Interruption*]

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(1), please.

Madam Speaker: Hon. Member, I am going to give you a little latitude to see where you are going with this, but if you could tie it back into what is the substantive matter before us.

Mr. R. Indarsingh: Certainly, Madam Speaker. As I said, this has to do with the commitment, the importance of the fire service, the type of work that they do, and pension benefits are what we would call a term and condition of employment. It is important that we give the fire officers the prerequisites in terms of the proper terms and conditions of employment, which will help to boost their morale and their self-esteem, and so on, which would ensure that there is longevity and commitment to the fire service of Trinidad and Tobago. Once there is longevity and commitment towards the fire service, and, by extension, patriotism to Trinidad and Tobago, Madam Speaker, certainly they will be there long enough to enjoy their retirement benefits, just to educate the Leader of Government Business, Madam Speaker. That is the whole rationale in placing on record the Opposition's

appreciation of the work of the fire service of Trinidad and Tobago.

So, Madam Speaker, as I said, I quickly want to indicate, as we focus on the issue of pension benefits and the blame game, which the Member for Diego Martin North/East and the Minister of Finance attempted to lay at the feet of the People's Partnership Government, if he did his research the Minister would realize that it was the People's Partnership Cabinet that really removed the shackles as it relates to facilitating the process of promotions, and so on, and dealing with the whole question of the facilitating the collective bargaining process which allowed this particular agreement to take place between the CPO and the representative bargaining agent, the Fire Service Association, which led to this agreement in a signed collective agreement, and today the Opposition is giving its support, is willing to give its support to this particular piece of legislation.

But it is important, Madam Speaker, that I underline, or underscore a few issues in the system, in the system which is hampering this particular issue, or has led to this particular issue. Madam Speaker, in the current fire service establishment there is, what we would call within the First Division, one Chief Fire Officer, one Deputy Chief Fire Officer, five Assistant Chief Fire Officer, 12 Divisional Fire Officers, 16 Assistant Divisional Fire Officers, and within the Second Division, Madam Speaker, there are 57 fire station officers, 208 fire sub-station officers, 231 fire sub-officers, and there are supposed to be 2,138 firefighters, and, as a result, all the positions in the First Division of the fire service are currently filled.

Coming out of this, in terms of the information that has been given, or that has been able to be accessed, Madam Speaker, taking into consideration that there are approximately, in terms of vacancies which continue to exist, there are over 300 vacant positions that are existing in the fire service, and, as a result of these

vacant positions there are a number of acting appointments within the organizational structure of the fire service. As the Bill has rightly sought to go in the direction that it proposes, that a fire officer who satisfied the requirement of acting for more than three years will be required to pay arrears of contributions calculated on the basis of the pay that he would have received in the higher office had he been substantively appointed.

Madam Speaker, it is important to ask the question, why, why has the whole issue of acting appointments not been dealt with in a decisive manner? That is why I am saying that we may try to apportion the blame game here this evening, but it is important to understand that if the Opposition is giving support to a particular piece of legislation in the interest of the well-being of the fire service officers, it is important that if we are giving advice towards fixing the system, the Government must be prepared to embrace what we are pointing out in order to give a sense of comfort to the fire service officers when they retire, and they are able to access their pensions, and so on.

Madam Speaker, the regulations, section 43(2) of the public service, Part V, under the Payment of Pension, reads, and I quote:

“The Chief Fire Officer through the Permanent Secretary shall ensure that particulars of service and pay of each officer whose retirement is known to be imminent are furnished accurately to the Comptroller of Accounts not less than six calendar months before the date on which the officer concerned is due to retire...”

So that is important to take note of in the context of the timeliness of a retiree, or one who is about to retire to be able to access his or her pension benefits. As I said, Madam Speaker, I have referred to this particular regulation as it relates to the preparation of records, and so on—[*Interruption*]

Madam Speaker: Hon. Members, I would like to hear the contribution of the Member for Couva South. Please, continue.

Mr. R. Indarsingh: Thank you, Madam Speaker. As I said, apparently the senior Cabinet Ministers of Government are really not interested in listening to the deficiencies in the system which can help or assist to ensure that when persons who have given much to Trinidad and Tobago leave the public service, they will enjoy a dignified retirement, and they will have benefits that will bring about a sense of dignity, not only to themselves but their entire family, and so on. And that is what the Decent Work Agenda is about in Trinidad and Tobago, [*Desk thumping*] and I hope that they really fully understand this particular issue.

Madam Speaker, I have pointed out that promotions have not been filled and the number of vacancies which are currently existing, and, as I said, that within the whole system one may be tempted to ask, why promotions are not taking place within the fire service of Trinidad and Tobago, and what is the role of the Public Service Commission in this matter. Madam Speaker, is it a case of negligence? And what is the role of the line Minister, and, by extension, the line Ministry? Also, what is the level of collaboration taking place between the Ministry of National Security, and also the Ministry of Public Administration in the context of dealing with the issues that are being referred to from the point of view of the Public Service Commission?

From that particular end, Madam Speaker, I just want to refer to a number of reports that have been tabled formally and laid in this Parliament as it relates to the annual reports of the Public Service Commission of Trinidad and Tobago. Madam Speaker, and I am quoting directly from the Public Service Commission, Annual Report 2011, in where page 8:

“In 2011, the Chief Fire Officer promoted twenty nine (29) officers in the

Second Division and did not make any first permanent appointments.”

In 2012, from page 37 of the, again, Public Service Commission Annual Report:

“In 2012, the Chief Fire Officer did not promote any officers in the Second Division and did not make any first permanent appointments.”

The first report I referred to was 2011, 2012 was the second report, and in 2014, during 2014, Madam Speaker, from page 12 of the Public Service Commission Annual Report:

“...nine hundred and eight-five (985) permanent appointments were made. Of this total, seven hundred and eighty-two (782) were made by the Public Service Commission while two hundred and three (203) were made by the Commissioner of Prisons under delegated authority. The Chief Fire Officer did not make any permanent appointments for the same period.”

And it continues in relation to the trend which is clearly spelt out in pages 13 to 14 of the 2015 annual report. And, again, with respect to the fire officers, in this particular instance, the Chief Fire Officer promoted only 16 officers.

So, Madam Speaker, giving support to the legislation is all well and good from this angle, but the question has to be asked, why there is no regularization and who is failing who within the whole system? It is the Public Service Commission or is it the permanent secretaries who have the responsibility also of ensuring that they collaborate with the office of the Chief Fire Officer? Also, in this particular instance, what is the level of administrative, what we would call, support that is being provided to ensure that the relevant office-holders who are supposed to make their, or fulfil their duties and responsibilities within this particular system? Are they really fulfilling their sense of responsibility to the hardworking fire officers of Trinidad and Tobago? [*Desk thumping*]

5.30 p.m.

I say so, Madam Speaker, because it is important again, while some of those on the other side may be prepared to scoff and make snide remarks and so on, about the work of the fire officers and so on, I just want them to understand that when we give support and we address this whole question of pension benefits and so on in Trinidad and Tobago, we must understand the level of work and input that the fire officers really give to this country.

Based on a programme that is presented on I95.5 by the Second Division of the Fire Services Association of Trinidad and Tobago, led by its current President, Leo Ramkissoon, I have been able to get a greater understanding, and based on programmes that he has presented and information that he has disseminated for the benefit of the population of this country, the fire services of Trinidad and Tobago, based on their intervention, responded to a number of situations, whether it was from the point of view of residential or business and so on, they responded to fires and yet the total value of their work involved in addressing property and so on to the tune of \$1,202,709,892.

Based on their work, the fire services of Trinidad and Tobago was able to save this country and the people of this country \$956,490,000 as it relates to the work that they did in 2016. This was also seen again in 2015, Madam Speaker, based on the hard work of the fire service officers of this country, they were able to save or realized, based on their intervention on all fronts, a savings of \$2,075,846,317—again, just underlining why it is important to fix the system in ensuring that there is a Police Service Commission that is working in tandem with the Permanent Secretary and also from the point of view of the Office of the Chief Fire Officer working in a decisive manner.

Because at the end of the day, Madam Speaker, the only way you can motivate those under your charge and your responsibilities and so on, is to ensure

that you do the appropriate thing that will help them to lift their commitment, improve their self-esteem and morale and so on. That is why I am saying this evening that whilst it is a money Bill and it has been piloted by the Minister of Finance, that the line Ministry with responsibility for the fire service of Trinidad and Tobago is the Ministry of National Security. Taking into consideration the background of the current Minister of National Security, that he would lead the charge in ensuring that those under his purview, not only from an administrative point of view, but he will use his good office to ensure that there is decisive action on the part of all our office holders to ensure that this issue of acting appointments within the fire service of Trinidad and Tobago comes to an end, and there is full regularization. As a result of that, when persons retire they will be able to access their full benefits.

The little anomaly in this particular issue really is that those fire officers will now have to take part of what they would call their retirement benefits and top up what we would call their full benefits, to ensure that they are able to have what is called a decent retirement. In that regard, it is important, Madam Speaker, for collaboration to be existing within the line Ministry. It also calls for, as I said, not only for collaboration and linkages with the Minister of National Security, but collaboration with the Minister of Public Administration and Communications. Because as I referred to the Public Service Regulations, section 43 Part V, under the payment of pensions and the responsibility of the Chief Fire Officer through the Permanent Secretary and so on, it is important to ask the question really, what is taking place at the level of the office of the Comptroller of Accounts. I raise this particular issue because subclause 7(b) proposes that:

The arrears of contributions which is payable shall be determined on the basis of the pay the fire officer would have received in that higher office, for

each year in respect of which he acted continuously, and deducted a lump sum from the gratuity payable to the fire officer, where practicable or from the fire officer's pension in equal instalments over a period to be determined by the Comptroller of Accounts.

Madam Speaker, I am forced to ask the question because there are a number of persons who go on retirement in Trinidad and Tobago and for years they are not able to access their pension benefits. In fact, the waiting time is sometimes two, three, four years. As a Member of Parliament, public servants have come to my office at Couva South, and they have complained, "Can you assist me? Can you find out the status of my pension?" In fact, I have written to the Comptroller of Accounts and so on from time to time on behalf of retired public servants.

That is why the Minister of Finance should have been in a position to tell us here this evening that the Comptroller of Accounts office is fully staffed, and there is a proper and effective what we would call an audit unit and so on. And in the context of going forward and bringing a sense of dignity to all public servants and so on, whether at the Comptroller of Accounts office, especially I am told that there are tremendous delays in the Audit Division of the Comptroller of Accounts, and whether he is prepared in his leadership style at the Ministry of Finance to effect change at that Comptroller of Accounts office, as it relates probably to having dedicated units in dealing with fire service, teachers, army, police officers and so on. I think if my memory serves me right that police officers have a separate unit and so on, and I stand to be corrected by the Minister of National Security.

It is important to deal with the log jams in the system, and I hope that in probably his winding-up—and I hope that his winding-up will not be as brief as his mannerism in piloting this piece of legislation—that he will give the fire officers,

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current and retired and so on, and those who will benefit from this particular piece of legislation—[*Interruption*]

Madam Speaker: Hon. Member for Couva South, your original 30 minutes have expired. You are entitled to 15 more minutes if you intend to avail yourself. I am just going to ask you to kind of tighten up your contribution to what is before the House. Continue please.

Mr. R. Indarsingh: Thank you, Madam Speaker. I want to assure you that I will try to be as tight in the context of making a case for the current fire officers and those who have retired and so on, and those who will benefit from this particular issue.

Also, the Member for La Horquetta/Talparo has attempted to add his two cents across the floor in this particular debate, Madam Speaker. I hope that he too, in relation to giving that sense of lift and that sense of value to public officers and so on, will collaborate again with the Minister of National Security, with the Minister of Finance and so on at a governmental level, to ensure that he will play a very critical role in promoting a public service, what we would call renewal or agenda, for the 21st Century. Because apart from pronouncing on tombs and telling us about opening car parks and so on, and smiling broadly about Wi-Fi for 10 buses and so on, he has not brought much value to the table in relation to the Government of Trinidad and Tobago. [*Desk thumping*]

In this particular regard, the records—we are still in the age of paper records, manual records of not only fire officers, but public servants across the board and so on. I hope that the Minister of Public Administration—I really cannot say Communication, but Administration—will play his role too in working closely with the Minister of Finance and the Minister of National Security to ensure or to examine how technology could be used to make the process “more speedier” and

efficient and transparent, and also to look at the whole question of modernizing what we would call the Public Service Regulations which have existed, more or less, since the 1960s and so on. [*Interruption*]

Member for La Horquetta/Talparo, I will look forward to your intervention at a later point in time in this debate.

So, Madam Speaker, whilst we give effect to this particular piece of legislation here this evening, something is of deep concern and worry to me. Whilst it may not be linked directly to the permanent establishment within the framework of the fire services of this country, I am sure that the Minister of National Security would also be au courant with the plight—if I should use that particular word—of the auxiliary fire officers of Trinidad and Tobago. It also has to do with the old issue of retirement benefits. So whilst we give effect to this particular amendment and we want to give it the teeth, we must not allow it to fall victim to what has happened to the auxiliary fire officers.

In relation to that, a similar amendment was brought to this House in July of 2006 by the then Minister of National Security—may his soul rest in peace—the late Martin Joseph, who piloted an amendment in July of 2006 to amend the Fire Service Act. The fundamental objective of that Bill at the time was for periods of full-time service in the auxiliary fire service. I want to repeat, that the fundamental objective of that Bill at the time was for periods that were served in the auxiliary fire service to be counted for pension purposes in Trinidad and Tobago, and that is something that is still of concern, is still of worry to the auxiliary fire officers of this country.

That is why I am saying I am sure that the Minister of National Security will use his office to ensure that when this particular piece of legislation is effected, it will have the necessary support. This is why I underline and emphasize that that

support must come from the office of the Permanent Secretary, the Public Service Commission, and the Chief Fire Officer, because we want to ensure that it is really the political will at the governmental level, and from the point of view of the different institutions are really effected. So that when fire service officers go on retirement they are able to enjoy what we would call real purchasing power of their full retirement benefits.

Also, as we go forward, I see the Member for Port of Spain South. St. Ann's West is smiling broadly, and—[*Crosstalk*]—“ah doh want to go there, ah doh want to go there”. [*Interruption*]

Madam Speaker: Members, order please! Member for Couva South, please continue.

Mr. R. Indarsingh: Thank you, Madam Speaker. But he has some industrial relations experience and so on, and he would appreciate that the issue of the real value of your retirement benefits not being eroded by what we would call an inflationary trend and so on. Because within recent times in Trinidad and Tobago, the rate of inflation has been as such that it has really eroded into your pension benefits. And to look at also examining the issue of portability of pension contributions and so on.

For example, if someone resigns from the fire service and probably takes up employment outside of the public service of Trinidad and Tobago, will that individual be able to move his pension benefits from what we would call the public service pension, into the private sector and so on. As we go forward, as we evolve as a society, I think that it is important, in the context of public service reform, that we give some thought to this particular issue of the portability of pension funds and so on, or pension contributions, moving it from the public sector into the private sector based on the status of one's employment.

Madam Speaker, as I said, and I will continue to underline, that the fire service of this country plays a very important role in Trinidad and Tobago, so much that the *Newsday* of April 12th dedicated an entire editorial entitled, “Fire, Fire”, on page 12, where it looked at the whole question of fires in Port of Spain city, and also looking at the whole question of being sensitive to ensure that the fire service is given the requisite tools to battle fires in Trinidad and Tobago. Because if the fire services and the employees are not given the prerequisite tools—[*Interruption*]
—again, I understand them, Madam Speaker. [*Crosstalk*]
The trappings of office seem to get—[*Interruption*]

Madam Speaker: Member, please do not be distracted. Could you kindly continue, and I also ask you to please relate what you are saying to the Bill. We are not talking about the fire services in general.

Mr. R. Indarsingh: Thank you, Madam Speaker, I am guided. But as I said, pension benefits, I will reiterate, is what we would call a condition of employment, within the framework of the collective agreement. In that regard, you must be able to give your employees the prerequisite tools so that they would be in a position, as I said, to have the necessary self-esteem, the necessary morale and so on, to want to continue to be of service, to make a career out of their particular occupation and so on in giving towards Trinidad and Tobago.

There are a number of issues that are, indeed, impacting upon pension benefits and pensionable service, and the want to stay within the employ of the fire service of Trinidad and Tobago. Whether it is the relevant amount of equipment, fire tenders, hoses, Jaws of Life, I could go on and on.

In closing, I want to say that it is important that if we want a fire service in the 21st Century, we want the response, we want the cooperation, we want the commitment and the dedication of the fire officers of Trinidad and Tobago, I am

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calling upon the Government of Trinidad and Tobago, through the Minister of National Security, to conduct a comprehensive audit in the operations of the fire services of Trinidad and Tobago in relation to manpower, in relation to equipment and appliances and administrative procedures and practices in ensuring that Trinidad and Tobago has—*[Interruption]*

Madam Speaker: Member for Couva South, again I remind you of the provisions of Standing Order 48(1). You have a few more minutes that maybe you would like to just keep it to the Motion, please.

Mr. R. Indarsingh: Thank you, Madam Speaker, I am guided. As I said, that a full audit in relation to ensuring that Trinidad and Tobago has a quality fire service in the 21st Century, taking into consideration that this administration has a liking for audits in different places. This will bring value to Trinidad and Tobago.

I thank you.

Mr. Rushton Paray (Mayaro): Thank you very much, Madam Speaker. I rise to join in this debate; I shall not be very long this evening. *[Interruption]* No, I need to speak because I am here as a Member of Parliament, and I will speak.

Madam Speaker, the Bill before this House today is really an opportunity to fix an anomaly that is nearly over 10 years old in the existing legislation, and it has really been a source of a lot of pain and heartache for many of our retirees in the fire services, and more so, the nature of some of the problems, with specific reference to gratuities and pension, it stretches across all of the public services.

This Bill is entitled, “An act to amend the Fire Service Act, Chap. 35:50. As I mentioned before, it is not only about pensions and gratuity, but in doing a bit of the research on this, it exposed a much wider and deeper problem that I would say it resides in the public sector, and if it is left unchecked it will continue to be a burden in this country, and it will continue to be a burden for all of our retirees as

we go forward.

My colleague, the Member for Couva South, has made several mention of a bit of the history about what was the nexus of this Bill and so on, but I just want to refer back to an article in the *Trinidad Guardian* on Wednesday, June 22, 2016. It is an article entitled, "Fire officers may lose back pay". If I may be allowed just to read a couple, one or two short pieces of it, and I quote. The writer is Camille Clarke:

Hundreds of fire officers will be disappointed at this month-end as they will not be receiving any backpay.

Instead, firefighters could be owing the Government thousands of dollars as the Chief Personnel Officer moves to recover this money. However, in a brief interview yesterday, president of the Fire Services Association, Leo Ramkissoon, said the Chief Personnel Officer advised the Chief Fire Officer, in writing, that officers who are acting in the fire services in higher ranks are not to receive certain allowances.

Ramkissoon said the moneys to be taken from officers could be as much as up to \$90,000.

Madam Speaker, I am very glad that the Government has brought this Bill to fix this anomaly. And I am happy to stand here in support of the Bill, because I think our dedicated fire officers, our police officers, are really deserving of our gratitude as a nation when they have completed their 33 1/3 years of service to this country.
[Desk thumping]

Madam Speaker, in doing the research for this Bill also, I realized one of the challenges that is being faced is really the timely payment of this gratuity and pension. I have two gentlemen in my constituency who come to me very regularly to ask for assistance. One of them is a police officer and one is a fire officer. If

you allow me just to briefly describe their current situation. The police officer is retired. He has a very small business now. He does have a child in university, and he has been using his savings to pay his monthly bills since retiring over 18 months ago and he has not received his pension and gratuity.

The fire officer, he also retired a little over two years ago, and he too has not received his gratuity and pension, but he has two children in university. When I spoke to him last he had purchased a car, a Wingroad, to go and work taxi in order to make ends meet, in view of not having an income anymore. It comes back to me. Is that the way we should be treating our civil servants after all these years of dedicated service? [*Desk thumping*] Police officers are guardians of our communities. They kiss their wives and children goodbye and they go out and they protect us, and sometimes they are not thanked in any way for the work that police officers do, and so too fire officers.

My daughter last night in helping me with this, she said, you know, fire officers are really truly some of the bravest men in the world, because while all of us are running out of fires, they are running in. When you have that sort of dedication for 30-odd years, and then rather than giving them a thank you with their gratuity and pension on time, they are given a swift kick because, you know, it is difficult to leave your job and next month there is no salary coming in. Yes you have savings, you have built savings over the years, but that savings ought to be able to take you and your wife on a little vacation; enjoy the time that you would have given up with your family in your retirement age.

What I also looked at is, what is the source of this problem, where is this thing coming from? I looked at a document that is entitled Minister of Finance Circular No. 2, dated the 30th of June, 2008. I think the Minister of Finance back then was Mr. Mariano Browne. It was a circular that went out to all Permanent

Secretaries, heads of departments, the Chief Administrator of the Tobago House of Assembly, heads of statutory authorities, subject to the Statutory Authorities Act. The subject of this circular was, “Payment of retirees’ benefits on time”. In this letter his opening sentence was:

Your attention is drawn to the provisions of Regulation No. 33 of the Civil Service Regulations Chapter 23:01—which he reproduced right under.

What is instructive to me is that Regulation 33 really defines what the public officers in the various sections who have been given the task and the responsibility of preparing gratuities and pensions—I am wondering if they are doing their jobs and if they are doing their jobs effectively. Because if you have public officers who are not receiving their pensions on time, somebody in the system is not doing their job.

So if you would allow me, Madam Speaker, just to mention what 33(1) says in the regulations:

The computation and authorization of pensions and gratuities of persons whose retirement from the civil service is known to be impending shall be treated as urgent matters of high priority.

Madam Speaker, that is something that is absolutely clear.

6.00 p.m.

When a Minister of Finance tells you that something is of high priority and it is an urgent matter—I do not understand why we still have public officers waiting two years to get their gratuity and pensions. Clearly someone is not taking heed of that instruction in 33(1). And 33(2) it says, if I may quote:

“Permanent Secretaries and Heads of Departments shall ensure that particulars of service and pay of all officers whose retirement is known to be...”—[*Interruption*]

Madam Speaker: Member for Mayaro, may I now call upon—we now have a Definite Matter and therefore I call upon the Member for Caroni Central. [*Desk thumping*]

**DEFINITE URGENT MATTER
(LEAVE)**

**Property Tax
(Implementation of)**

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. The matter before us which has to do with the property tax which the Minister of Finance confirmed earlier is going to be implemented during the fiscal 2017 is the urgent matter of public importance before us.

I begin by saying, Madam Speaker, that now is not a good time to implement and to impose an additional tax on citizens who are fearful of the economic future that we face, and who are living under severe economic and financial stress at this time in our economy. This is not the right tax because, in my view, the execution mechanisms have not been thought through in the way that one needs to have efficiency and effectiveness in the administration of the tax. Government, in my view, is not ready—the Ministry of Finance—to execute the tax. And I think part of that is illustrated by the manner in which they have engaged the population by asking them to send all manner of documents to the Valuation Division. I doubt that they have the resources and I doubt that the system is in place. The people or citizens are not able to bear this tax given the current economic and financial situation. [*Desk thumping*] More than that, given the investment climate, the state of confidence, another imposition of tax on the commercial sector, on the industrial sector will bring the economy to a further standstill worse than it is now and create the conditions in which this economy can collapse.

[MR. DEPUTY SPEAKER *in the Chair*]

The people who are affected by this tax, this pending tax are: homeowners; renters, because the cost will be passed onto them; landlords, many of whom have empty buildings that cannot be rented, so I do not know what they are going to be paying the tax with; agricultural producers; people in commerce at a time when we want to see activity, want to see jobs, at a time when food inflation is fairly high; and industrialists at a time when the economy is in contraction. 2016, according to the IMF has seen a GDP decline of minus 5.1 per cent.

We just got downgraded a couple moments ago today, I think I saw something about that from Standard & Poor's, and really the situation is not nice. There are no people who are really going to escape from this in the long run, squatters might escape, the landless might escape, but even if a squatter has a comfort certificate, he is in a quandary about whether or not he is going to have to pay property tax too. And the Government has really already finished with the policy of land for the landless, so there is no hope for those people, and they are beginning the process. I had to go to a place yesterday in my constituency where they are beginning the demolition of squatting.

So that it is an understatement to say that people are unclear and very uncertain about this property tax. Many of the questions that are asked in the published documents of the Ministry of Finance are not the questions that are on people's minds, and I am going to illustrate in a minute, and several of the answers to these questions are meaningless to the people who really need to know what this tax means to them.

Now, I want to say that UNC is on record as having always been against the property tax as conceived [*Desk thumping*] in the Property Tax Act of 2009. They voted against it. We voted against it. I say they because I was not in Parliament at that time, and more than that it was taken on the road. Out of that emerged the

“axe the tax” movement.

We were also against the amendment to the Valuation of Land Act which was amended in 2009. And I am very surprised to see this tax come back after the tax was also—[*Crosstalk*] Well, you can say that when you speak. I am surprised to see the tax come back in force under this Government when in 2010 the people basically said they did not want the tax. [*Desk thumping*]

Now, we axed this tax between 2010 and 2015, we really did. And perhaps we should have repealed it, but what we did was we brought an amendment which prevented the tax from being executed until 2015. So, we are now in a situation where we are faced with this tax by this Government and the people of this country are faced with the hardship that they must bear if this tax is imposed. And I really think that the best thing that the Government can do in this circumstance is, first of all, not to introduce the tax at this time.

Secondly, find an appropriate replacement that is different from this tax and its arbitrariness which I will talk about, and we would be prepared to work with you on that and really, we really do need to replace this tax and we need to repeal it as we replace it with something else that is more reasonable to the population.

Now, if you look at the document that is being circulated by the Ministry of Finance, you have Schedule II which is based on the Act of 2009, and Schedule II is a return required under section 6 of the Valuation of Land Act, Chap. 58:03, and that asks very simple things: premises; name of owner; to what purpose; whether rented, leased or occupied; number of rooms; number of so and so; if leased, number of leases; if occupied, by owner or relatives; additions; alterations and it is a short form of about one and a half pages. But on top of that, the Minister of Finance and the Ministry of Finance have imposed the following sentences and information required on top of the form. It says:

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“Please complete the Schedule II form below and return...to any office of the Valuation Division..., together with COPIES of as many supporting documents as possible from the following list (kindly check box{es} to indicate documents submitted).”

They want your Deed; they want your RPO Certificate of Title; they want Land Survey Plan; the previous Land and Building Taxes receipt for property identified; they want a photograph of the exterior of the property; they want a sketch of the building; a site plan; a building plan; a rent/lease agreement; Completion Certificate; WASA bill (3 months old or less); T&TEC bill, same thing; Town & Country Planning Approval (Status of Land); Town & Country Planning Approved Use or (Change of Use).

Now, I want to ask and maybe the Minister of Finance can answer. The law does make it necessary and make it law that you have to fill out the Schedule II, but does the law give the Minister the authority to ask for all of these things from a citizen really? And is this a reasonable request from a citizen for you to impose a tax on that citizen? I really find this, I mean, it really is, in my view, very stressful to the citizen, and more than that when you think of all of these and the permutations that are possible given the configuration of the society that is Trinidad and Tobago, it really exposes to grave danger the citizen who is willing to hand up [*Desk thumping*] all of these documents to the State.

Now, there are documents that the Ministry of Finance has put out to explain this business of the tax and how it will work, but some of the questions asked are not the questions that the citizen wants to be answered. For instance, what is the land valuation and property tax process? The citizen does not want to know that. The citizen wants to know: how will you determine the value of my property? That is what the citizen wants to know. Okay? Then there are some things here

that are very, very hard for people to understand; what is the annual rental value, ARV. The:

“ ‘annual rental value’ means the annual rent which a particular...”—parcel of—“...land is likely to attract having regard to the purpose for which the land is actually used, occupied or tenanted, or where is it not actually used, occupied or tenanted, having regard to the purpose for which it is reasonably suitable;”

Now, I know it is English and it makes sense, but I mean, be reasonable. I mean, is this the way that you want the citizen to make sense of what he or she has to do? Who is responsible for valuating my property? Well that is a reasonable question and it is an answer that the citizen wants. And it says here, the technical and professional staff of the Valuation Division.

Do you have the resources? The Minister says that he does. He answered a question to that effect today. Do you have the resources really to carry out this? I do not think so. I do not think the Ministry is ready for it.

And then they have a number of other questions here, calculations and so on, but there are troubling questions: Will all properties on the same street have the same property taxes to pay? Not necessarily. The rental values of houses on the same street may vary according to the classification of the building, floor area of the building, age, condition and internal layout of the property. Hear this one:

“I operate a small business from my home. Do I pay residential property tax or commercial property tax?” Property will be assessed by its proportional use.

Now, who is going to determine that and will this be consistent across the board, across the country for all regions, all areas, all constituencies in the country? How then can you defer your application? It basically says that if you cannot pay it can be deferred. But will this accrued and let us say somebody dies, what does

that mean to the person who inherits, the son, the daughter, the family member, the wife? What happens? It is now that they are liable to the State, and suppose they themselves cannot pay. What is going to happen?

I think that this whole approach and documentation with it really reveals a disposition on the part of the Government, yes to generate revenue, and I am not denying the need for revenue in Trinidad and Tobago. I understand the financial situation, I understand the energy situation, I understand the economic situation which is a consequence, at least, partially of that. But what I do not understand is the absolute uncaring and insensitive approach [*Desk thumping*] to the condition of people in these financial and economic circumstances.

And then there is another document here. It says that this tax is different from the land and building taxes, and one of the reasons it says is that, you know, it will be one tax for all in a certain kind of way, it says. But then it says the location of the property, the classification of the property, the category of the property, dimensions of floor space, the modifications, all these things will make a difference, so property classification, construction and condition, the location of the property and market value.

Now, I hope the Minister is aware of the fact that the real estate market is quite down in Trinidad and Tobago at the present time. And the question which market?—is a good question because it has a two-sided answer. And therefore, I want to say that we are in a situation in which people are really, really going to be oppressed and depressed by this taxation measure at this time in the history of our country given our economic circumstances.

What is going to happen: to HDC renters; HDC homeowners; working people who are now jobless; the middle class who has to find money because GATE might not be possible; commercial enterprises; agricultural producers; the

industrialists in the country? What is going to happen to unoccupied buildings which are almost everywhere? And they tell me that there is now a policy of the Government to only rent buildings in Port of Spain and not outside of Port of Spain and that has been reinforced by the Prime Minister's statement the other day that it will be the capitalization of Port of Spain and decentralization for the time being from a Government point of view is on hold.

I mean, I want to ask the question, it is clear to the country now given how you have managed over the last several months moving into close to two years when you come to present the budget in September, it is clear that this Government was not ready for government. [*Desk thumping*]

And I want to say that the Ministry of Finance is not ready for this tax. [*Desk thumping*] No meaningful preparations have been made. They are shifting the burden to the homeowner, the citizen and the taxpayer, and I feel that that is unfair, it is not right, it is not good. You cannot oppress people in these times like that and then put an extra burden of responsibility on them which should be the Government's obligation, duty and responsibility. Government in my view is only interested in the revenue, in the money and there are too many opportunities where things can go wrong with the implementation—[*Interruption*]

Mr. Deputy Speaker: You have two more minutes of your 20 minutes. Two more minutes.

Dr. B. Tewarie: Two more minutes. Thank you. In this situation, Mr. Deputy Speaker, I want to ask the Minister of Finance to reconsider. We are as we are in the economic situation, everybody understands it. We know the problems of challenges. You have Juniper coming up now at the end of the year. You have basically a situation coming up with the Angelin gas flow later on. Things are likely to be better in that particular situation, at least, with the revenue side and the

production side of the country.

If you do certain things of which you have done none for the last 18, 19 going on nearly 20 months, if you do some of the things that you need to do, it is possible that the economy could be stimulated, that jobs could be created in the system and that people could be better off economically to be able to meet the challenges of this tax. But at this time I want to ask: why should people cooperate with this tax when the Government is doing nothing for them. [*Desk thumping*] Why should people allow themselves to carry the burden of giving information to you when you are doing nothing for the ordinary people of this country? [*Desk thumping*]

And I want to say this is a tax which I would ask the Government to reconsider and postpone. Within the next year you can design a tax that is more reasonable, that is easier on the burden, easier in terms of the burden to the taxpayer and the citizen, and more than that, I would ask the citizens really to comply with the law as far as filling out the one form is concerned, but if there are other matters that are being asked for by the Government that does not come under the law, I would ask them not to comply and to resist [*Desk thumping*] those measures—[*Interruption*]

Mr. Deputy Speaker: Member, Member—[*Interruption*]

Dr. B. Tewarie:—which is an intrusion on their privacy. [*Desk thumping*]

Mr. Deputy Speaker: Minister of Finance. [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy President.

Hon. Member: Speaker.

Hon. C. Imbert: Sorry. Mr. Deputy Speaker. Could be president, who knows. Mr. Deputy Speaker, I am grateful for the opportunity to correct some

misinformation that has been put into the system by Members opposite, particularly the political party that the Member for Caroni Central use to associate with.

The Valuation of Land Act, Chap. 58:03, which has been in existence since, just let me get the date of this Act, since 1970, has a provision at section 6 which is in the law and it is astonishing that educated persons such as the Member for Caroni Central would not inform themselves as to the law instead of making wild and reckless inaccurate statements and encouraging people to break the law. So section 6 of the Valuation of Land Act which, as I said, has been in place since 1970 states as follows:

“Every owner of land in Trinidad and Tobago shall by April 1, 2010, make with the Commissioner, a return of land the form set out in Schedule II.”

So that the forms which were sent out by the Commissioner of Valuation, not the Minister, and this is one of the politically deceitful inferences made by the hon. Member opposite, politically deceitful to say that the forms are being sent out by the Minister. It is not true. In fact, it is a reckless untruth. The Valuation of Land Act requires the Commissioner of Valuation to request every owner of land in Trinidad and Tobago to submit a return in the form set out in Schedule II.

And, Mr. Deputy Speaker, the forms that have been sent to owners of property in Trinidad and Tobago are in exact compliance and conformity with the form that is in Schedule II to the Valuation of Land Act. It is not a concoction. [Crosstalk] This, the Act has been there since 1970. This particular section has been there since 2009. They were in power from May 2010 to September 2015 and they did not see it fit to adjust, amend, repeal or in any way change the provisions of section 6 of the Valuation of Land Act which requires every owner of land to submit a return as set out in Schedule II to that Act, which is the exact same

form which has been sent to owners of property in Trinidad and Tobago.

So for five years and three months they had an opportunity if they were so vehemently opposed to that section, the sending out of a simple form which simply gives persons an opportunity for self-assessment. Because, Mr. Deputy Speaker, this is in fact, quite a progressive piece of legislation because in the past the Commissioner of Valuation would do an assessment and owners would be informed of what the value of their properties were. Now, the owners are given the opportunity to tell the Commissioner of Valuation what the specifications of their property are: what is the size; how many rooms, et cetera. It is in the law and it was in the law for the five years and three months that the UNC was in power. It is shameful. It is disgraceful. It is reprehensible, reprehensible, Mr. Deputy Speaker. [Crosstalk]

Mr. Deputy Speaker: Members will have their time, an additional five minutes after. So, please, let us hear the Minister of Finance.

Hon. C. Imbert: Thank you, Mr. Deputy Speaker. It is shameful and reprehensible that persons opposite would seek to deceive the population in this manner and pretend that this is something new, [Desk thumping] something that they left on the law books for the five years and three months that they were there, a simple requirement to submit a form indicating particulars of the property that you own.

And what I find even more politically deceitful, Mr. Deputy Speaker, what I find even more politically deceitful, the main mouthpiece on that side opposed to property tax and the payment of property tax in Trinidad and Tobago, who is for some reason mysteriously absent today, the main opposition to property tax, the Member for St. Augustine is the owner of Unit 707, 1625 Southeast 10th Avenue, Fort Lauderdale, United States of America and happily pays— [Crosstalk] The

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Member for St. Augustine is the owner of condominium in Fort Lauderdale—
[*Crosstalk*] Mr. Deputy Speaker, could you, please, protect me from the mutterings
opposite?

Mr. Deputy Speaker: Proceed, proceed. Members, let us hear the Minister.

Hon. C. Imbert: They do not want this truth to come out, that the “axe the tax”
man pays \$17,000 in taxes for his condominium in Fort Lauderdale happily, a little
condominium, a tiny, little condominium happily pays \$17,000 per annum—TT
\$17,000 per annum—in property taxes for his condominium in Fort Lauderdale,
happily pays it. Does not tell Uncle Sam a word, does not tell the authorities in
Fort Lauderdale a word, every year goes and pays his \$17,000 in property taxes the
Member for St. Augustine, the main “axe the tax” man, but would not pay \$1,700
in taxes in Trinidad and Tobago, one-tenth, “doh” want to pay one-tenth of what he
pays for his condominium in Fort Lauderdale. It is shameful and reprehensible.
And for those who do not know, I will repeat the address, Unit 707, 1625—
[*Interruption*]

Mr. Deputy Speaker: Members. Members. Member for Naparima, you are the
constant individual who continues to talk across the floor. You will have your
opportunity shortly.

Hon. C. Imbert: Thank you, Mr. Deputy Speaker. Let me repeat, condominium
owned by the Member for St. Augustine is Unit 707, 1625 Southeast 10th Avenue,
Fort Lauderdale, Florida 3316 on which he happily pays TT \$17,000 per year in
taxes. Where in Trinidad and Tobago on a similar property he would pay he would
pay \$1,700 per year. It is shameful, shameful, Mr. Deputy Speaker, shameful.
[*Desk thumping*]

And if the other side was opposed to this tax, why did they not repeal the
law in the five years and three months that they were in power instead of simply

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deferring the payment of the tax every year for populace, political reasons?—and in 2015 that was the end of it. So if by some stroke of bad luck the UNC had won the 2015 election, they “woudda rest” property tax on the population because they did not repeal the Property Tax Act.

And the other points that need to be made, Mr. Deputy Speaker, all of this scaremongering, all of this carrying on and ranting and raving about they do not understand, and do not give the information, and protest and break the law, Mr. Deputy Speaker, citizens of Trinidad and Tobago, residents of Trinidad and Tobago have been paying property taxes in this island, these two islands since 1818. I have done the research.

6.30 p.m.

In fact, there is a reference to this in the National Archives of Trinidad and Tobago. Mr. Deputy Speaker, let me read the National Archives of Trinidad and Tobago:

“Assessment Rolls...are listed by counties and wards”—they dealt with the district—“administration of the colony...as it related to land and property.”

They list the name of the owner of the land, the boundaries surrounding it, the size of the parcel, the total house and land tax to be paid. Exactly what is in the 1970 law in the Valuation of Land Act, and this archived document is dated 1818, almost 200 years ago. So for 200 years residents of these two islands have been paying property tax and have been required to submit to the authorities a description of their property, the owner of the land, the boundaries surrounding it, the size of the house and so on, since 1818, 200 years. And yet I have to come into this Parliament and hear nonsense about how this is something that just dropped out of the sky like a space ship.

And, Mr. Deputy Speaker, it gets worse. When you look at property tax all

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over the world, the earliest known tax records date to 6,000 years BC, 6,000 years BC. [*Laughter*] The first form of tax is actually—[*Interruption*] You are actually right, it is in Iraq. It was in Iraq. Six thousand years BC the first form—Mr. Deputy Speaker, please protect me from the Members opposite?

Mr. Deputy Speaker: Go ahead. Go ahead Minister, you go ahead. You proceed.

Hon. C. Imbert: Thank you. The Members opposite, they cannot handle the truth. They cannot take the truth. [*Desk thumping*]

Hon. Member: Show them your research, man.

Hon. C. Imbert: The earliest known tax records dating from approximately 6,000 years BC are in the form of clay tablets found in the ancient city state of La Gash in modern day Iraq just north-west of the Tigris and the Euphrates river. See, 6,000 years people have been paying property tax in this world, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, let me deal with some of these terrible misconceptions put into the system by the Members opposite who, as I said, are such hypocrites, that they will happily pay tax in the United States but they cannot pay it in Trinidad and Tobago. The fact of the matter is that our laws require the Commissioner of Evaluation to send out a notice to persons requesting them to submit a form giving their self-assessment of their own property. The reason for all of the other documents, which are not mandatory, they are to assist the Commissioner of Evaluation in determining whether a false submission is being made. Because, there are people in this country, and I do not want to be thrown out but I dare say who may be associates of Members of the other side, who would be quite prepared to submit to the Commissioner of Evaluation that they have a small, single-storey two bedroom bungalow when in fact they have a six-storey 20-

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bedroom mansion. [*Laughter*]

So, the purpose for the additional documentation—you see what the Evaluation Division is going to do, when hypothetically, a Member from the opposite side sends in a submission and it does not match the historical records, because there are historical records, there are aerial photographs, there are valuation rules, there are records going back over 100 years of properties in Trinidad and Tobago. So, hypothetically, when a Member from the opposite side perhaps may submit a form that is inaccurate, the Commissioner of Evaluation could say, could you send me a photograph please, so that I could see that this one-bedroom bungalow that you say you own is really a one-bedroom bungalow, and it is not that six-bedroom mansion that we are aware that you own. So that is all it is all about.

So, the persons are required to send in a form to make self-assessment, and I would expect that the vast majority of owners of property in Trinidad and Tobago will be honest and sincere, and will send in an accurate and faithful report and that will obviate the need for the evaluation division to send field inspectors out to take a look at the property. Because that is all it is about. Once you send in these additional documents and it matches the records in the Lands and Surveys Department, and it matches the records in the Warden's Office and in the cities and boroughs, it matches the records, they are aware of what the property looks like, once you do that and you assist the Valuation Division, there is no need for field inspection, there is no need for an assessor to come and request inspection of your property. And, your assessment will be done smoothly, and properly, and honestly in conformity with the law. But, if in fact you are one of these millionaires—

Hon. Member: On that side.

Hon. C. Imbert:—that were created in the 2010 to 2015 period, who own 11, and 12, and 13 properties, and they are all in Plantations, Tobago and elsewhere, and

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they are all owned, and all of these 20 properties that these millionaires of the UNC period emerged, all have 10 rooms, and 20 rooms, and three storeys and four storeys, then I am afraid that inspections will be required.

So, Mr. Deputy Speaker, I want to set the population's mind at ease. The forms that have been sent out are for self-assessment. If the information that is submitted is accurate there will be no need for an inspection, and evaluation will be done based on historical records. If on the other hand the information is bogus, there is a requirement for inspection. And most importantly, most importantly, Mr. Deputy Speaker, I want to refer to section 23 of the Property Tax Act which allows for persons who are impoverished who are unable to pay the tax based on their financial situation, based on illness, based on other factors which would cause them difficulty to pay the tax, they can make an application, and it reads as follows:

“The Board”—of Inland Revenue—“may upon the application of the owner of the land authorize the deferral of the payment of the assessed tax on the land on the grounds of the impoverished condition of the owner and his inability to improve his financial position...by reason of age, impaired health or other...circumstances...”

And that is put in there to deal with the pensioners, to deal with the elderly, to deal with the infirm, and to deal with the indigent who will be eligible to get a deferral of tax, and will not be required to pay this tax.

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

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Mr. Deputy Speaker. I assure you I will be equally polite as the Member for Diego Martin North/East.

Mr. Deputy Speaker: Member, keep in mind the five minutes.

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Dr. R. Moonilal: Yes, I am keeping in mind as you get up. Mr. Deputy Speaker, just a few questions to pose to the Minister on this matter. I want to first ask—just three questions in five minutes. One, the data you spoke about that already exists in the central Government system, data at survey division, data at Land and Building Tax Division, data in the Ministry of Finance, why in God's name can you not use existing data that is in your system already [*Desk thumping*] rather than ask innocent citizens, ask citizens to do the work of civil servants and compile for you dossiers of information which they will not have? [*Desk thumping*]

Somebody who built a house in 1982 will have to find building plan, building approval, land survey plan, tax receipt—well, tax receipt they might have, and this fascination by the Minister of Finance for pictures is almost disturbing, eh. It is disturbing. When they were sending in comments to a Joint Select Committees—say send the comments and send your picture. [*Laughter*] Now, they want picture of everybody house—and who are these assessors from the Ministry of Finance? I want to ask the Minister, have you bought one new paperclip, one piece of paper, one pen, hired more staff, or established more offices in the Valuation Division to deal with the hundreds of thousands of documents [*Desk thumping*] that you expect to come in if people obey the law? My information is nothing has happened, no change in the Ministry of Finance, and they expect people to send in documents.

Mr. Deputy Speaker, in 1970—now I was frightened just now, he did not tell me the PNM was formed 6,000 years ago [*Laughter*] when they introduced property tax in Iraq, or Iran, or somewhere. Mr. Deputy Speaker, I want to ask the Member there, why do you have people sending in pictures this way? While it may be according to the law, I am not saying that it is illegal, you are sending in pictures of people's houses, and then threatening that officers from the Ministry—

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or contract officers, eh, not public servants, contract officers in this day of high crime, bandits, homicide, every minute—they just stabbed somebody in Woodford Square while the Minister was speaking. It was not because of his speech, but they just stabbed somebody there while he was speaking. In this time of crime you are asking people to trust contract workers from the Ministry, with a badge or something that anybody can manufacture, coming by your gate and saying we are here to verify if this picture is yours? How much washroom you have? Whether you have swimming pool, whether you have this, you have that, is that realistic in 2017 today? That is not so. [*Desk thumping*] Is the Minister aware that police officers are warning citizens not to let anybody from any Ministry of Finance come on their property, they have had four cases of robberies, four cases so far by people going to the gate and saying “I am from the Ministry of Finance, I come to do an assessment of your property for property tax”. Is the Minister aware of that? He is not.

I want to raise a final issue now, HDC, the Housing Development Corporation has land and building vested in the HDC, they own building, they own property, they will have to pay property tax. Will those rentals, the 3,000 people who you say owe \$100 million, are they now required to pay property tax? [*Desk thumping*] Because this thing is not only affecting one class of people, it will affect all the people. So that the HDC community of renters, people on rent-to-own, people on licence to occupy will now have to pay the burden of property tax when you introduce it—they are not under the category that we heard of before—is the HDC paying that? That is a fundamental issue. Do you have the resources to implement this? Why do you not use information that you already have in the Government service than ask people to go and do this type of work, 13 documents to find in a month and a half. Mr. Deputy Speaker, how much minutes again?

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Mr. Deputy Speaker: You have two and a half.

Dr. R. Moonilal: Thank you, I have enormous time here man. Mr. Deputy Speaker, the problem we have today is that the wheels are falling off this Government. The wheels are falling off. [*Desk thumping*]

They do not have a clue what to do, and in knowing what to do, they believe that they have to pick the pocket of hard-working innocent citizens. [*Desk thumping*] Because they have no money and they do not know how to generate revenue, so they put their hand in somebody purse. They put their hand in your pocket and try pulling as much money as you can get, whether it is increasing gas price, tax on everything, introducing property tax. I want to tell the Minister, there is a reason why the People's Partnership never implemented this. We never implemented property tax, and I will speak, our colleagues will speak on this. When the UNC is returned to office we will repeal and replace property tax. [*Desk thumping*] We did not deal with it. We did not implement property tax because burdening and pressuring people was not our priority. That was not our priority. [*Desk thumping*] Burdening people was not our priority.

So, Mr. Deputy Speaker, with those very few words, I thank you. [*Desk thumping*]

Mr. Deputy Speaker: Five minutes, AG.

The Attorney General (Hon. Faris Al-Rawi): Mr. Deputy Speaker, I rise to make a quick contribution to this Bill. The fact is, on the 1st of January, 2010, the property tax became law. The fact is, Larry Howai, just midterm, in the session of Parliament delivery of the budget, October 1, 2012, Minister Howai, Finance Minister then, had this to say with respect to property tax:

“...there must be widespread consultation.”

There would be reform over the next three years.

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Today we watch Members coming to create panic and fear as the Member for Oropouche is one to do, and we are hearing this position of consult some more, go back some more, and understand that now is not the right time. So, we know for certain on the record that the period October, that the period 2010, starting in January straight till September 2015 was not enough time to get it right. But, I want Members to recall that it is a matter of parliamentary record that Minister Howai stood on behalf of the United National Congress and announced the implementation of the property tax. Because it was, if I recall correctly, a statement on the Parliament record, that it was implemented with respect to agricultural leases. So, it was a matter of fact that far from the Member for Oropouche's "gran charge" today, the UNC Government did not retreat from it, consult upon it and wait some more, they implemented the property tax, and said that more of it would be rolled out and implemented.

But, Mr. Deputy Speaker, the fact is this, the position of property taxes is closely associated with the reforms on local government which are fast apace, that revenue which in San Fernando is at 9 per cent taxation without property tax, will come down to 3 per cent, which this current position says now. So, for San Fernando West and San Fernando East, it is certainly a benefit to have a reduction in taxes as there is a disproportionate levelling of taxes right now. But when we look to this position we are saying to Trinidad and Tobago, this revenue is not for the consolidated fund and the Government only, we are tying this revenue to the reform in the local government structure where we are telling the local government, collect your revenue, apply your revenue for the benefit of your corporation and your burgesses so that it goes right back to the people. This is proportionate, this is equitable.

When one does the actual calculations, they are manageable. Section 23 of

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the Act does provide the mechanisms for persons in hardship. Section 21 of the Act allows for objections to taxation. That objection process finds itself in section 30 as well. If you do not agree with the process you can object to the Board of Inland Revenue, you can go to the Tax Appeal Court, you can go to the Court of Appeal, and you can have due process carried out. So, far from this being disproportionate, it was implemented by a UNC Government, they did not repeal the law, they applied it generously and said that they would roll out the rest in due course. It is a reduction in taxes for many citizens, like those in San Fernando West that I have the pleasure to represent, and, Mr. Deputy Speaker, it is associated with the progressive reforms for local government, which have been habitually underfunded, where citizens cannot see the benefit of their money at work for them. And in those circumstances it stands to reason that perhaps the Member for St. Augustine who owns property and pays \$17,000 a month as it is reported he does—

Hon. Member: A year.

Hon. F. Al-Rawi: A year, sorry—in the United States, perhaps the argument in the United States is, well, you can see your dollars working because it goes to the city that receives the benefit.

It is similar to what is being proposed in Trinidad and Tobago right now by this Government where we are devolving the system of governance to the local government structure so that roads can be fixed, schools can be fixed, drains and sidewalks can be fixed, so that we have a model close to the THA model, where people can see their dollars at work for them. Six thousand years ago in Iraq, 6,000 years ago in Ur, the birthplace of civilization, it was obvious and commonsensical to people then. How is it that only the UNC finds difficulty with this?

Mr. Deputy Speaker, this is a cause célèbre for some people who have lost their tone right now, and most respectfully citizens are encouraged to support a progressive, sensible form of taxation, and I thank you. [*Desk thumping*]

Mr. Rodney Charles (*Naparima*): Thank you, Mr. Deputy Speaker, before I begin I would challenge anybody on that side to name one person, bring one receipt of any citizen who paid property tax. I will give you a US \$100 today. [*Desk thumping*]

Mr. Deputy Speaker, never in the history of Trinidad and Tobago—and I have been around since 1962 when we got Independence—has so much pain, so much suffering, so much pressure being inflicted on so many [*Desk thumping*] by so few, in such a short time by those opposite. We are suffering this time. And they come, and look at the taxes they have introduced since they came into power? They have introduced VAT, 12 per cent on a host of items; they have income tax, 25 per cent over 72; increase in fuel prices, Customs and Excise Duties, Green Fund Levy, Business Levy, 30 per cent, tax for those earning a million and more, health surcharge, stamp duty, financial services tax, motor vehicle tax, well, import surcharge. You know what my granddaughter told me, Mr. Deputy Speaker? I hope on that side the Member for Diego Martin North/East does not come to our church because he would tax the tithes and all in Princes Town Baptist Church. [*Desk thumping*]

But, you know what the philosophy over there is: tax, borrow and spend. They lack the intellectual depth to come up with an alternative policy, and I will give an example, why can we not always tax, borrow and spend? Why we cannot earn revenues? Today we will be looking, or earlier today we looked at the Fire Services Act, and hear the charges, and I am just saying—and the Member for Point Fortin for whom I have tremendous respect, I want him to look at some of

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the fees in the seventh schedule. In this day and age to empty a swimming pool the fire services require four people—four officers and an appliance, the fee is \$200, and they do not even have the ability to understand that different pools have different sizes. [*Desk thumping*] To request for a use of a fire services wrecker a \$125, in issuing a fire permit—[*Crosstalk*]

Mr. Deputy Speaker: Continue.

Mr. R. Charles:—\$10. All I am saying is that if he is coming to amend the Act—[*Interruption*]

Mr. Deputy Speaker: Less display of your document please.

Mr. R. Charles:—he could look at revenue generating things that could get away from imposing tax and punishing the citizenry of Trinidad and Tobago.

Today we also—it was laid in Parliament, the question of the Vision 2030. In Vision 2030, and whenever I speak about the elderly they make jokes out of it. But, elderly people who retired early they are on fixed incomes, they now have to face increased rents, they have to face property tax, and they do not see on that side that there are alternatives to taxing the citizenry of Trinidad and Tobago.

I have residents in Naparima constituency who do not even understand what is before them, a lot of them got two acres of land from Caroni (1975) Limited. These are people over 70 years old and they are asking, what have they done to this PNM Government to inflict such a burden on this society? [*Desk thumping*] That is an uncaring Government, Mr. Deputy Speaker, all they can think about is burdening the citizenry of Trinidad. And they will say, for example, what is the tax in the United States? It is 6 per cent in Florida. But you do not have the alternative and the plethora of taxes that we have in Trinidad. I plead with this Government. I plead with this Government to—[*Laughter and desk thumping*]
[*Continuous interruption*]

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Mr. Deputy Speaker: The Member for Port of Spain North/St. Ann's East, proceed. St. Ann's West, sorry.

The Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. Allow me to quote Minister of Finance, or rather former Minister of Finance, Sen. The Hon. Larry Howai in September 2013, the budget speech for 2014 under a People's Partnership arrangement:

“Mr. Speaker, a land and building tax regime is a key pillar...in all modern tax systems. Recurrent land and building taxes meet all the conditions of a good and fair tax. The backbone of a successful land and building tax is the proper valuation of properties within a transparent framework...This will require the property rolls being brought up to date. I propose to phase in”—hold on, the Minister of Finance for a UNC administration—“these taxes over the period 2014 — 2017...during which time the properties will be valued...and consultations will be held with all stakeholders.

In phase 1, and effective immediately, we shall commence valuations of all industrial land, including plant and machinery, whether housed or unhoused, with a view to implement this tax by July 01, 2014.” [*Interruption*]

Mr. Deputy Speaker, allow me to tell the public, through you, what is being uttered—[*Continuous interruption*]

Mr. Deputy Speaker: Member, one second. Please! Please, let us hear the Member. Let us hear the Member.

Hon. S. Young: Allow me to tell the public what is being uttered by those on the other side, and in particular the Member for Oropouche East, as they delivered this budget speech, he is saying, “We spoke to him, told him not to do it.”

And let me tell the people of Trinidad and Tobago how they financed the

expenditure: \$16 billion from NGC, \$16 billion in dividends from NGC. So, they stand there and they talk about raising revenue. They did not raise a single cent in revenue. [*Interruption*] What they did is they raided the Treasury, they drove up all the overdrafts, [*Continuous desk thumping*] they left not a single cent, they increased the borrowings. In fact, Mr. Deputy Speaker, I draw to the public's attention Standard & Poor's statement today. Standard & Poor's statement today says, during their tenure they increased from 16—[*Interruption*]

Mr. Deputy Speaker: Member! Member, please. Please! All right? Members! [*Laughter*] Go ahead, Member.

Hon. S. Young: Standard & Poor's today said that during their tenure they increased the debt of Trinidad and Tobago from 17 per cent to 32 per cent.

Hon. Member: In one year.

Hon. S. Young: In one year, whilst looting NGC sending every "over drafter".

So, to come here and continue to mislead the people, and worse yet, I end on this, Mr. Deputy Speaker, the worst point that was made in this Parliament today by persons who are charged through an electoral process to create law in Trinidad and Tobago, is to hear them tell the people of Trinidad and Tobago, to break the law of Trinidad and Tobago, and to encourage people not to follow the laws of Trinidad and Tobago. [*Continuous desk thumping*] Let them go out and face the public this evening with their unpatriotic, "treasonic" selves. [*Desk thumping*] To continue, Mr. Deputy Speaker, encouraging people, their financiers and others to break the laws of Trinidad and Tobago.

We on this side will do no such thing. We encourage the Minister of Finance to continue to keep the laws of Trinidad and Tobago and to raise revenue for Trinidad and Tobago. [*Desk thumping*]

Mr. Deputy Speaker: Member for Couva South, the time will be up at 7.00 so

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you have roughly just about three minutes. [*Crosstalk*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Mr. Deputy Speaker, the issue here is a tax that is being introduced by this Government, the most unconscionable measure that has been introduced by this Government. [*Desk thumping*] And for a moment I thought the Member for Port of Spain South/St. Ann's West, why did he have to shout to attempt to implement what they want to do? [*Continuous interruption*] They are pauperizing the people of Trinidad and Tobago. [*Desk thumping*] They have nothing creative and innovative. They deceived the population of Trinidad and Tobago by their manifesto [*Continuous desk thumping*] and we want to warn the population of Trinidad and Tobago, that they are asking for requirements that are putting pressure on the people of this country. Imagine an elderly lady, imagine nanny in Barrackpore being asked to download this form and submit it to the Minister of Finance and to the Commissioner—[*Continuous desk thumping*]

Mr. Deputy Speaker: Member! Members, no injury time would be allocated in this session, so please?

Mr. R. Indarsingh: The Commissioner of Valuations falls under the Minister of Finance, [*Desk thumping*] so the ultimate responsibility lie with the Minister of Finance. You cannot pass the buck here this evening. You must take the ultimate responsibility of pauperizing the population of Trinidad and Tobago. [*Desk thumping*]

And all of you who are attempting to act as people who are prepared to change the course of the people of Trinidad and Tobago, history will judge you. History will judge you. [*Continuous desk thumping*]

7.00 p.m.

And I want to remind the population of Trinidad and Tobago, Mr. Deputy

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Speaker, at the end of the day the Opposition will repeal this piece of legislation when we are returned to the Government of Trinidad and Tobago—[*Crosstalk*]

Mr. Deputy Speaker: Members! Members!

Mr. R. Indarsingh: And we will ensure that—

Mr. Deputy Speaker: Members! Members! Hon. Member! Members, please.

Hon. Members: Your time is up. Time up.

Mr. R. Indarsingh: When we return to the Government—

Mr. Deputy Speaker: I will give you two minutes. Go ahead. [*Desk thumping*]

Hon. Members: Proceed, proceed. [*Desk thumping*]

Mr. R. Indarsingh: When we return to the Government of Trinidad and Tobago and we will introduce the said legislation—[*Desk thumping*]

Mr. Deputy Speaker: All right, Member. [*Desk thumping and crosstalk*]
Member! [*Desk thumping*] Thank you, Members. [*Crosstalk*] Okay, Members, we will now resume the—

Dr. Moonilal: Why?

Mr. Deputy Speaker: Please, please, all right. We will now resume on the Bill, the Fire Service (Amdt.) Bill, 2017, and the Member for Mayaro who was participating in the debate now has an additional 21 minutes to complete. So kindly proceed. [*Desk thumping*]

FIRE SERVICE (AMDT.) BILL, 2017

Mr. R. Paray: Thank you. Thank you very much, Mr. Deputy Speaker. I will try to keep the Parliament awake after this most exciting piece of debate concerning the property tax. Nonetheless, this Bill is extremely important and I think it deserves the importance of the attention of Members as I continue with my contribution in the Parliament, Mr. Deputy Speaker. Just to rope in what I have said before, I support this Bill and I thank the Government for bringing this

legislation to really fix this anomaly that has been giving some problems to the fire service officers in their retirement. But my contribution today really has to go a little more in-depth into just, whether the legislation before us today, the amendment to clause 7 really fixes the deeper problem in pensions and gratuity, not only in the fire service but throughout the entire public service.

So, in my research, Mr. Deputy Speaker, I saw several areas that the clauses, the amendments are not addressing and I want to touch briefly on most of them, on a few of them. Mr. Deputy Speaker, I was looking just before the debate on the property tax has started, in the regulation, the Civil Service Regulation, section 33, which really governs the behaviour of the people who are entrusted to put the house in order to make sure people receive their gratuity and pensions on time. And I refer to section 33(1), which spoke to the issue of computation and authorization and the fact that the law asked those who have been given the job to look at it, that it should be treated as urgent and of high priority. And I am saying, that clearly it is not treated as urgent and as a high priority. And section 33(2), the regulation, which is the law again, which determines the behaviour of those entrusted with the responsibility to prepare gratuity and pensions. It says that the:

“Permanent Secretaries and Heads of Departments shall ensure that particulars of service and pay of all officers whose retirement is known to be imminent...”

—“known to be imminent” tells me that this thing is so important that it should get your immediate attention.

“...known to be imminent are furnished accurately to the Comptroller (Financial and Accounting Administration) not less than three calendar months before the date on which the officers concerned are due to retire...”

And they want to do this with a three-month window, Mr. Deputy Speaker:

Mr. R. Paray (cont'd)

“...in order to enable the computation and checking of pensions, retiring allowances and gratuities to be completed by the Comptroller and the Auditor General and submitted for authorisation before the date on which the officer’s retirement from the Service is due to take effect.”

What the regulation is saying here, Mr. Deputy Speaker, is that, not a single retiree in this country ought to go a month without their gratuity and pension. That is the law. The law states that. And the question I want to ask, do we have public servants who are breaking the law? [*Interruption*] Mr. Deputy Speaker, it is very easy for members of the public—

Mr. Deputy Speaker: Member. AG and Minister of Finance, the tone please, the tone.

Mr. R. Paray: Thank you very much, Mr. Deputy Speaker. I was asking if we have public servants, I know many of them are hard-working public servants, but, are there those who deliberately, for one reason or the other, do not do their jobs, are they breaking the law by not following the regulation? I am assuming the fact that it is in our laws it means that something is governing the behaviour and that is not happening. And while it is easy, it is very easy to blame MPs and Ministers and those of us who sit inside here, because we have faces in the public, we are on news, we are in the newspapers, we are on Facebook. But there are people in the public service who nobody knows, who are causing these issues to erupt and create hardship for our citizens, but then we take the blame for it because we are easy to be named when we sit in this Chamber. So my question is, Mr. Deputy Speaker, do we need to look carefully at where these people are operating inside the service that is causing the hardship among our retirees and if they are breaking the law, what are we going to do about it?

Mr. Deputy Speaker, in this circular that was issued by the former Minister,

Mariano Browne, he also told the Permanent Secretaries and Heads of Departments and so on, as Minister, there is a reason why I am reiterating these regulations for you and basically he had three reasons.

One, it was to send a clear signal as to the high priority with which these activities are to be treated. So the Minister is telling the public servants listen, treat this thing as important high priority, it is very important, let us get it out of the way. Secondly, he reminded these officers of the regulation to ensure that no public officer leaves the service of the Government without his or her benefits being paid on time.

Mr. Deputy Speaker, this is a Minister who is instructing people within the public service that, let us not have our public officers leave service, when they retire, without their money on time. And he is saying that based on the law, on the regulations. And finally, he reiterated the regulations to these officers to emphasize the significance of the roles of the Comptroller of Accounts and the Auditor General in ensuring that retiring benefits are computed accurately to prevent any inequality of the payment of pensions.

Mr. Deputy Speaker, I do not think the regulation could be much more clearer than that and the amendments in this Bill today, while it is fixing the anomaly with regard to acting allowances and so on, we need, if not in this Bill, in Bills coming to the future how are we going to deal specifically with these delays in retirement benefits and the gratuities and so on.

And in my little research that I did, Mr. Deputy Speaker, there were one or two areas that I saw that were deficient that would also speak to delays in gratuity and pension for our retirees. And one of it has to deal with acting appointments.

Now, the Members for Couva South spoke about some numbers and the fact that in 2014 there were no promotions in the fire service, no, how do you call it

when you—

Hon. Member: Gratuity?

Mr. R. Paray: Yes, there were no permanent positions and so on. One of the things I am asking, Mr. Deputy Speaker, the fact that throughout the public service we have thousands of people acting. We have them acting in the police service, in the fire service, in the prison service, we have them acting in this Parliament also. We had an Acting Chief Whip the other day, we had an Acting Prime Minister, we are acting all over and I am wondering if all these acting positions are not adding to the burden of calculations when time these people retire? If it is, why it is, why it is we are not promoting these people? If the person is qualified, is competent to fill a vacancy in an acting position why are they acting for five years and six years and seven years, why not promote them into the substantive position, get their paperwork in order in time for when they retire after their 33½ years? So acting positions are really adding to the burden, and we in this Parliament ought to be looking at fixing these types of issues.

Mr. Deputy Speaker, there was one area, in speaking with some of the fire officers in preparing my contribution today, in the regulations, in the Fire Service (Terms and Conditions of Employment) Regulations, 1998, section 79(1) says:

“An officer shall undergo an annual examination to be conducted by an approved medical practitioner in order to ensure his physical and psychological fitness for...”—the work.

Now, Mr. Deputy Speaker, how does that affect pensions and gratuities? I understand that for the last five years not a single fire officer has been instructed to go and take that medical check. So what you have are officers who may be developing issues like, respiratory problems and so on, that is in the formative stage that if found early can be treated so that when they get to retirement age their

pension and gratuity does not have to be spent in the hospital and the nursing homes treating these diseases.

So, one of the things that, you know I am asking, and this is the law again, this is a requirement of the law, so I am asking why is the Chief Fire Officer not getting these men to go and do their medicals? That is the law. So clearly, are these people breaking the law and if they are breaking the law what are we going to do about it as parliamentarians, as legislators, in this country? Do we allow them to continue doing it and not making any substantive changes in behaviour at the end of the day? Or are we going to continue getting the licks day after day every time something does not work well in the public service?

Mr. Deputy Speaker, there is also an issue with promotions, “oh yes”, that is one of the areas there were no promotions in 2014 in the fire service, either. So no promotions—[*Crosstalk*] 2014/2015.

Mr. Imbert: Under you.

Mr. R. Paray: Well, whether it is under we or not, the problem is there is a Chief Fire Officer who has been mandated by the regulations, has been given the powers to promote. That has nothing to do with the Government. [*Crosstalk*] No, I do not think so. I am saying there are people who ought to be doing their jobs in this country. [*Desk thumping*] They ought to be doing their jobs and they are not doing it.

Mr. Deputy Speaker: Members, please. I want to hear the Member for Mayaro. Continue, Member for Mayaro.

Mr. R. Paray: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, there is also—in having conversation with a couple of the fire officers and especially those who—there are a couple of, those who live in my constituency, there are a couple of them who are in the newly minted Mayaro Fire Station and they are very happy

to be in a very beautiful modern facility. It was opened officially in October last year, I think, yes, Minister?—officially, yes, so I was told. And you know, Mr. Deputy Speaker, one of the things that the gentlemen there, in that station, are not motivated, is that while it has been opened, some would say for a second time, there is still no fire tender. There is still no fire tender in the Mayaro Fire Station, Mr. Deputy Speaker. But there is a new ambulance.

So there is a beautiful ambulance parked up in the station there. So when I went to do the research and we were having some conversations and I was told that the tender was there and I did inform them that the honourable Minister did say one was on order so we will keep our fingers crossed that it will turn up very soon. You know I said well at least if you cannot respond to fires and so on at least the ambulance is there, you may be able to respond to road traffic accidents and so on, only to be told, Mr. Deputy Speaker, that many of the officers, if not all of them at that station, none of them are EMT trained to ride the ambulance. So I am taken aback, you have this new ambulance there and I understand because of the law, because of how the law is framed, these fire officers or sub officers I think they call them, they are not allowed to offer services of that nature because they are not EMT trained. And I understand the training required, there is something called EMTB which takes about three months, so I am asking, well perhaps we need to, you know, do something and get some of these men trained to utilize the facility of the ambulance service.

Now, Mr. Deputy Speaker, when you have these officers who want to work, you know, they want to contribute, they want to contribute to a department, an organization with the love and care as citizens of this country but yet they do not have the tools to do the work, it demotivates them and that leads to all different types of stresses on them. And I mean you have officers and not only in Mayaro,

throughout the country in all arms of the public service, who are dealing with these kinds of issues, creates medical conditions, it makes their way of life as a retiree much more difficult. So they are having to go through those things and then when you make your 33 $\frac{1}{3}$ years and you retire and then you have to wait two years before you see a pension or your gratuity, it is really heart-wrenching to these officers, Mr. Deputy Speaker. So, when I was told, that look, there was no fire tender, we cannot use the ambulance, I said well, at least I am sure that you may be able to save cats and dogs. You know on Sesame Street you see the fire officers climbing trees to save cats and so on in trees. You know what the officer tells me, he say, well MP I real sorry you know because we do not have a truck to put the ladder on so we cannot even save them either.

So, Mr. Deputy Speaker, these are issues and I am sure it is not limited to Mayaro, it is not limited to Rio Claro, I am sure they are issues that really hamper the quality of the work environment for officers. And all these things lead to how they live, how they work, what type of mental state they are and when they spend 20 to 25 years in any service with those kind of issues, how do they retire and then have to face the issue of no money upon retirement because of these instances in the public service where some people are not doing their jobs.

So, Mr. Deputy Speaker, the last item that I want to raise is, I will definitely take a read of the Draft National Development Strategy, Minister of Planning and Development and the reason why I want to take a read of it in reference to this Bill—[*Crosstalk*] no, no I want to read it, I want to read it. “Oh God, give me a chance nah let me read the thing nah man”. I tell you I am reading it. And I am reading it for the purpose that retirement and pensions fall under one of the Sustainable Development Goals, No. 3. And that SDG really speaks to—if I can just fine it here for a minute—about how we develop and how we treat our old and

our ageing population.

Mr. Deputy Speaker, retirement and pensions throughout the Government service, how effective, how quickly we are to respond to the changing nature of our environment really will determine the quality of life. And I am looking forward to seeing that SDG No. 3 mentioned specifically in Vision 2030 document in front of me here, I will be looking for that and seeing how the Government is going to treat with our elderly and our retirees going forward and what are we going to do as a Parliament here to make sure that these little bottlenecks that keep stopping our retirees from getting their moneys on time, we need to fix that.

So, you know, fixing the anomaly here with the appointments, with the fact that the issue with them, acting in one role and not getting compensated and so on for it, we need to fix those things. We cannot allow those things to go forward and, again, I support the amendments, I support the Bill before us here today to really bring relief to our fire officers and I hope that the Minister of Public Administration and Communications really takes a serious look as to what is happening in the public service with regard to those who have been entrusted to work on pensions and so on.

So with those few words, Mr. Deputy Speaker, I want to thank you for the time to bring my views to this contribution today. Thank you very much. [*Desk thumping*]

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I do not know if it is because of my military training for precise operations and so on, but I think that we need to bring this Bill back to where it ought to be, having heard the last two contributions, and I mean no disrespect by that because it is not in my character to disrespect anyone, but I believe and strongly believe that we have to bring this Bill

back to its moorings.

You see, Mr. Deputy Speaker, this Bill is not about the public servants, it is not about the Comptroller of Accounts as articulated by the Member for Mayaro. And when I heard the Member for Couva South, I was a bit taken aback as someone who professes to be an industrial relations practitioner. I expected him to be almost complimenting the Fire Service Association. I expected him to be complimenting the Trinidad and Tobago Fire Service for ensuring that this Bill get to the stage where it is at today, because it redounds to the benefit of the Members of the Trinidad and Tobago Fire Service. [*Desk thumping*]

And I want to publicly thank the Members of the Trinidad and Tobago Fire Service for continuing to do a diligent job, for continuing to risk their own life to save lives in Trinidad and Tobago, because there are hard-working men and women in the fire service and this Bill here, Mr. Deputy Speaker, is long overdue. When we look at the situation between 2011 to now, what this Bill is about is the absence of action by the last Government to bring this Bill to Parliament to the stage where it is at today. [*Desk thumping*] This is what it is, it is about three years between—[*Interruption*]

Hon. Member: Three and a half years.

Hon. Maj. Gen. E. Dillon: This is what it is all about. This Government recognizes the importance and the work, the hard work and the dedication of the members of Trinidad and Tobago Fire Service. And so, make the appropriate steps, take the appropriate initiative to bring this Bill, Mr. Deputy Speaker, so let me bring this Bill back to its mooring. What this Bill seeks to do is:

“...to amend the Fifth Schedule by providing that a fire officer who has acted in a higher office for a continuous period of at least three years immediately prior to the date of his compulsory retirement or on which he

proceeds on annual leave before the date of his compulsory retirement, shall be eligible to have his pension, gratuity or other allowance calculated as if he were substantively appointed to that higher office.”

And this is from since 2008.

When you look across the Ministry of National Security, and to understand that this has already been effective in the Trinidad and Tobago Police Service, the Trinidad and Tobago Prison Service and across sectors of the civil service. The Trinidad and Tobago Fire Service was left alone between 2011 to now. This is what this Bill is about, rectifying around, ensuring that the Trinidad and Tobago Fire Service gets equal treatment as the remainder of agencies in the national security, in the wider civil service.

Mr. Deputy Speaker, one has to understand that the Trinidad and Tobago Fire Service works diligently, but more importantly, this Government is ensuring that they are treated in such a way that they are provided with the necessary tools, the necessary equipment to do their job effectively and efficiently. There are roughly 460 fire officers who this Bill will be affecting. I have heard complaints from some of these very fire officers, some of them who have retired, who have acted in the substantive position for sometimes three, sometimes more than those three years, they are out of the job and yet they are being paid in a substantive position as opposed to the acting position. And while they understand with this Bill being passed they will have to contribute towards as if they are receiving the higher of the salary, the acting salary. That is not a problem.

The thing is that they have acted in the position for more than three years which, in fact, is a substantive position at the end of the day and therefore what we are doing here is something that is due to them, it is not something that they did not work for. They have worked for, they have earned it, they have earned it for the

last three years, acting in an acting position. And a number, 460 fire service officers have been suffering because of the delay, because of the lack of action, because of the uncaringness of the last Government for the last three years, Mr. Deputy Speaker. [*Desk thumping*]

And I can tell you, this is something when this Government took office, the President of the Fire Service Association brought it to the attention of the Minister of National Security because he was concerned, and he continues to be concerned about the officers under his charge, under who he is charged to look after their welfare. He brought it to this Government. This Government did not wait, did not dilly-dally, did not put it on the back-burner. We took the measures to bring it to the point where it is today because we care and we are concerned that if we do our job diligently [*Desk thumping*] we will get what is deserved, what the fire service deserve and therefore they will be prepared to work even harder for the people of Trinidad and Tobago. That is what a caring Government does.

So, Mr. Deputy Speaker, this Bill would affect the morale, it will affect the sort of work ethics, because what it shows to those who are still serving is that when they are projected into an acting position and if they have to remain there for three years or more, they would be compensated and therefore they will work assiduously and diligently. This is what this Bill talks about. It raises and lifts the moral of the members of the Trinidad and Tobago Fire Service. And when you look at the kind of jobs that the members of the fire service do, it is one in which, and the Member for Mayaro himself articulated a while ago, while we run out of a fire they are running into a fire. We have seen over the last couple of months an increase in the amount of response that the fire service has to do in our country. They are on call for and not only for fires, but for a number of different emergency situations that the fire service are called in to do, notwithstanding the amount of

efforts that they have to put out, but they are on call almost 24/7, 365 days a year and therefore the compensation that we are passing on this Bill, it is due and it is worth the effort.

Mr. Deputy Speaker, this Government continues to treat with the fire service to ensure that they have the necessary manpower, the necessary tools and equipment to do their job effectively and efficiently. And it is holistic approach. It is not just this Bill with respect to the compensation, with respect to pensions and gratuities to deal with those who are acting, but in terms of providing them with the necessary resources. And to demonstrate, Mr. Deputy Speaker, you will realize that between 2015 and now, we have increased the strength of the fire service by almost 209 persons. That is just the manpower resources.

With respect to fire stations, you have seen that this Government has had an agenda to ensure that the Trinidad and Tobago Fire Service, with respect to infrastructure development, is on the agenda. We have officially opened the Mayaro Fire Station, [*Desk thumping*] officially opened it. We have pre-construction work taking place right now in the Arouca Fire Station. The Penal Fire Station is about 60 per cent completed. Those are ongoing projects that this Government is involved in at this point in time. We have refurbished the Arima Fire Station, the Woodbrook Fire Station, Chaguaramas Fire Station, Couva Fire Station, Tunapuna Fire Station, Four Roads, Morvant. These are all to ensure that the members of the fire service are provided with the kind of environment to do their job effectively and efficiently and I say that, again, is to complement this Bill.

I am giving you the holistic approach of this Government to ensure that we provide the wherewithal for the members of the fire service. And we have proposed construction right now, Mr. Deputy Speaker. Point Fortin, we are looking at land acquisition right now and probably a design stage before the end of

this year for the Point Fortin Fire Station. We know we had the same issues in Point Fortin, my own constituency, a fire station that is almost 85 years old, this Government is taking steps right now to ensure that Point Fortin gets a new fire station, well deserved. [*Desk thumping*]

7.30 p.m.

The Roxborough Fire Station, some issues there. We are dealing with that right now; whether to demolish or to rebuild the Roxborough Fire Station, and that is going on right now. [*Desk thumping*] Crown Point Fire Station in Tobago, another area that we are looking at, and this Government continues. Because what we are dealing with today is about taking care of the members of the Trinidad and Tobago Fire Service. This is what this Bill is all about. It is taking care of the members of the Trinidad and Tobago Fire Service. And this Government continues. In terms of equipment, the following equipment and vehicles were received prior, between 2015 to 2017: Six water tenders; four water carriers; one emergency tender; one aerial firefighting vehicle; seven ambulances; equipment to combat forest fires; seven hydraulic rescue systems and five water tankers. So we continue to provide the wherewithal in a holistic manner to treat with the members of the Trinidad and Tobago Fire Service.

Mr. Deputy Speaker, in 2017, in this present period, in the procurement process right now, this Government has, in fact, initiated a down payment on the following equipment: the total down payment right now that has been done is \$51,139,000 towards a total cost of vehicles which is \$102,278,000. And that is why I am saying it involves the acquisition of six water tenders consumables; five water tankers, four emergency tankers, two hose laying tenders consumables, four chemical industrial tender consumables, one hazardous material vehicle, seven ambulances, again and, of course, training, both foreign and local. This is what

this Government is committed to for 2017.

And again, Mr. Deputy Speaker, I make the point that when you look at what this Government is providing in terms of manpower, we continue to look at the increase in manpower strength in the Trinidad and Tobago Fire Service. What this Government is doing in terms of infrastructure, in terms of existing renovations to fire stations and new fire stations in Trinidad and Tobago, and then the cost of equipment, not to mention uniforms and so on, it shows, and it is demonstrated, that this Government is concerned and cares and will look after members of the Trinidad and Tobago Fire Service, just like any other agencies in the Minister of National Security. Because we understand, by providing them—one of our remits is to provide agencies of national security with their tools, their equipment, their human resource to do their job effectively and efficiently, and this is what this Government is doing. [*Desk thumping*] And we will continue to do so.

So that I take you back to the Bill. It is about righting that wrong in the sense that the agency that did not receive the legislative authority to pay pension and gratuity for those who have been in an acting position for three years, now will benefit from this Bill that is brought before the House by this Government.

[MADAM SPEAKER *in the Chair*]

Madam Speaker, I want to close by, again, extending my thanks, the Government's thanks and appreciation to members of the Trinidad and Tobago Fire Service for doing their job diligently and doing it in such a way that we will continue to support them to ensure they produce the goods for the people of Trinidad and Tobago.

Madam Speaker, I rest. Thank you very much. [*Desk thumping*]

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

Mr. Fazal Karim (*Chaguana East*): Thank you very much, Madam Speaker, for allowing me to join this debate on a Bill to amend the Fire Service Act, Chap. 35:50. Madam Speaker, before I get into the substance of my contribution I just want to respond to a few of the remarks made by the hon. Minister of National Security, Member for Point Fortin. And in that, he was supported by one of his colleagues in saying that we need to bring this Bill back to its moorings. He said that this Bill is not about the Comptroller of Accounts, and maybe it might be good for him to be reminded that he might want to refer again to the Bill, and particularly the Explanatory Notes to the Bill in paragraph 3, the end of which we have there clearly stated about equal monthly instalments over a period to be determined by whom? By the Comptroller of Accounts.

Madam Speaker, I wish to also state that contrary to what my colleague, my very good friend from Point Fortin, would have indicated, that more than one person on our side—the Member for Couva South and the Member for Mayaro—did compliment the Trinidad and Tobago Fire Service officers for their work. [*Desk thumping*] He did indicate, as well, that there was the absence of action of the last government. And I know that we are accustomed to hearing that from our colleagues on the other side, but let me say quite clearly that if that statement continues to be said, it is an indictment upon you because you have said that you are in charge. Deal with it. [*Desk thumping*] And you are there for 20 months.

Madam Speaker, he also indicated that this Government recognizes the work of the fire service, rectifying a wrong. And, therefore, when I looked at this Bill, I came to the conclusion that for 25 fire stations overall—22 in Trinidad and three in Tobago—what we are, in fact, doing is, in a sense, condoning what was wrong. Because we are confirming an amendment that says that if you acted in excess of three years that these conditions will apply; that you will be taken into

consideration.

Madam Speaker, I think that we must condemn that situation and we must correct that anomaly. This is not only about, as my colleagues would have indicated, delegation of authority from the Director of Personnel Administration down to the Permanent Secretary, through the Minister, but in my view, this is a clear dereliction of duty. It reminds us, in a sense, as you speak about gratuity—and gratuity is defined in some quarters as money for service provided—that this really is an attitude of ingratitude. This is correcting an injustice, an injustice which can also be described as a disservice for service. It deals with people. It deals with job satisfaction; it deals with performance; it deals with productivity and it deals with an officer's contribution to national duty.

Madam Speaker, my colleague also, the Member for Point Fortin, indicated that the concern and, in fact, the focus of the Government, was to provide the necessary resources for the Trinidad and Tobago Fire Service to do their work. He read out some of the equipment that was bought between 2015 and 2017, and to our recollection they were procured during the time of the People's Partnership. [*Desk thumping*] I want to say that when we speak about the necessary resources, I am advised, having spoken to people in the fire service, that for northern division there are only two ladders that are working. He indicated as well, that is something that is due to them, that is earned, and I have added, that is owed. He says that the Government of which he is proud to serve is very concerned at the care and that all of these things affect the morale and the work ethic, to which I agree, and I will say something about that later.

I think it is important for us to also be reminded he mentioned that a lot of work was being done to fire stations. Mention was made of the fact that under their administration they opened the Mayaro Fire Station. And my colleague, the

Member of Parliament for Mayaro did indicate, yes, they opened it. But what did you leave in it when you opened it? An ambulance which cannot be served by the persons who are supposed to attend through that ambulance because they are not properly certified. Madam Speaker, in terms of the faulty tenders that cause safety woes at six fire stations that were closed down—and I am just responding to my colleague—in an article in the *Trinidad Guardian* we would have heard about Arima, Morvant, Tunapuna, Woodbrook, Wrightson Road and a number of other fire stations. I think the time has come for us—and I want to say from our side, I join my colleagues, that we do support this Bill. But it is one thing for us to talk about promotion; it is one thing for us to talk about acting appointments; it is one thing for us to say that people have been acting for a long period of time, but you know what is sad about it, Madam Speaker? That there is no shortage of funds to pay pensions.

The Draft Estimates of 2015, 2016 and 2017, and particularly the 2016 and 2017, has an allocation for fire service pensions of \$60 million, and fire service gratuity from \$12 million in 2016 to \$14 million in 2017. So the issue is not about money. The issue here, according to what we are seeing and what we are examining, it is an issue of inefficiency, incompetence and untimeliness to attend to people's matters and cause. You know, when you look at the information and the data, you will see—and I am quoting here from the Public Service Commission (Delegation of Powers), Part VIII, the Chief Fire Officer: The powers delegated to the CFO are as follows—and I do not want to repeat what some of my colleagues would have said. But he has the power to appoint officers to the Second Division. As a matter of fact, we also have a time stipulation which is indicated in the amendment and the regulations of 1998. And it says that:

“The Chief Fire Officer shall advise the Director of a vacancy in the office

of Firefighter within fourteen (14) days of that vacancy occurring.

(2) The Commission may cause the vacancy to be advertised through the Press and electronic media inviting persons to apply.”

It further talks about the importance of persons who are even in acting positions, and I am quoting from section 158, “Criteria for Promotion”.

“In considering eligible fire officers for promotion, the Commission shall take into account the experience, educational qualifications, merit and ability, together with the relative efficiency of these fire officers.”

I am saying all of this to tie back to the Bill which talks about acting appointments of three years or more and they would be paid at the substantive position in terms of where they would have been promoted to.

“Where the Commission has to select an officer for promotion from officers who appear to be of equal merit, the Commission shall determine its selection on the basis of relevant and relative experience of the officers.”

Madam Speaker, one of the things that is paid close attention to, in any aspect of job evaluation, in any aspect of promotion, is the annual performance appraisal report. And I want to indicate briefly that it really boggles the mind sometimes as to how come for three years you will have somebody acting and no performance evaluation is completed, and I will make reference to a case that we saw recently in the newspaper. But let me just indicate that there are important aspects for evaluation. Evaluation, apart from being an instrument for promotion—and it is required for these performance appraisal reports, or evaluation reports—to be forwarded by the Chief Fire Officer onwards to the Permanent Secretary and to the Director, and to the Commission for promotional opportunities.

In some cases we are seeing that some of these reports never went forward. They were never completed. And I refer to the matter which was reported by Jada

Loutou on Saturday, April 15th—maybe some reference was made to it before—in which damages are to be assessed for a fireman who was bypassed for promotion on three occasions over a period of 10 years in the Trinidad and Tobago Fire Service, after the Court of Appeal on Thursday found that several staff reports appeared to have not been in the possession of the Public Service Commission at the time of consideration for his promotional aspects.

Madam Speaker, I want to indicate that in terms of the—

Madam Speaker: Leader of the House.

PROCEDURAL MOTION

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very much, Madam Speaker. Madam Speaker, in accordance with Standing Order 15(5), I beg to move that this House do now continue to sit until the completion of the business before it. Thank you very kindly, Madam Speaker.

Question put and agreed to.

FIRE SERVICE (AMDT.) BILL, 2017

Mr. F. Karim: Thank you, Madam Speaker. Madam Speaker, I was at the point of indicating the importance of evaluating subordinates, and particularly where promotional opportunities, for which people work so hard to accomplish. I was speaking to someone in the fire service recently and they were saying—I said, “Where do you see yourself?” He says, “I am now a fire service officer, a firefighter, but one day I want to be the fire chief.” Well, according to what we are seeing here today, if we had to have acting for three years, you could imagine how many years this person would have to act. And if his staff reports were not submitted on time there would be little opportunity for recognition.

Madam Speaker, I just want to reiterate for the benefit of all of those who are listening—because it is important for us and also for the fire service officers—

that among the purposes of evaluation and performance appraisal, number one, is development. And that developmental aspect is also seen in the annual performance appraisal report which governs whether a person will be promoted or whether a person will get an opportunity for acting in a higher position. That is, that performance appraisal report will tell us whether that person requires additional training. It will also evaluate the training programmes that that person goes in.

Madam Speaker, I have with me here, a document, where persons are recognized for their performance in the Trinidad and Tobago Fire Service by virtue of their membership in the Institute of Firefighters of the United Kingdom, and I will say a little bit about this later on because I want to make reference in my contribution in terms of the opportunity for training in the fire service school that we have in Trinidad and Tobago. So it will evaluate training programmes, developmental to the extent where it will promote superior subordinate counselling relationships.

Madam Speaker, sometimes we are often seen looking at reports by a superior officer, by a head of department, and being signed by a counter-signing officer, giving all good grades, and yet still people will say that these persons are incompetent. They do not have a correct job fit. And therefore, the aspect of counselling subordinates is very important. You observe subordinates' behaviour to do what? To help them. To help them why? So that when they are in this acting position, for which we now have to go and look at, in a sense, retroactively, to make sure that persons who were acting, and not even confirmed, are now going to be paid once they cross that three-year bar.

Madam Speaker, it is also an opportunity for us to examine the level of, as my colleague from Point Fortin indicated, that he wants to see this level of morale

and motivation continue in the fire service. Motivation encourages initiative. When you feel job satisfaction, you are in a position where we will want to do much more than you are asked to. It develops in you a sense of responsibility. And, again, this is important for us, for those who are acting in this higher position. Because some persons may say, “Well, I am acting in this position. I am going to retire just now, so why do I have to work hard?” Some people take these opportunities to say, “Well, I will have an enhanced pension and gratuity”, as opposed to the real ethic of work. It stimulates efforts to perform better.

Madam Speaker, I am sure you will agree that this has an aspect of human resource and employee planning and they present valuable inputs in terms of your skills inventory. As my colleague from Point Fortin indicated, we will want to see an effective and an efficient fire service. But how will you know that if you are not even seeing and completing the annual performance report which is supposedly your objective criteria for measuring performance and for recommending for you to serve in the next higher position?

So what is his skills inventory? How will we know? What about for HR planning? But very importantly, Madam Speaker, another aspect of the purpose of evaluation is communication. How do we engage in discussion, in interaction and in feedback? But what we are also seeing here in terms of this evaluation, which is the basis of what has been taken to court by officer and officers, is that the annual performance appraisal report is a legal compliance. It is a legal compliance for promotions, for transfers, for rewards and even for discharges.

Madam Speaker, I did make reference to the fact that some persons, during their appraisal report—and in particular in terms of their performance review and appraisal—they may be recommended—in part (c) of that report of which I have a copy—for employee development. That is: do you have a sound knowledge of the

Fire Service Act? Do you have expert knowledge in terms of the rescue equipment? But, very importantly, do you have a need for remedial assistance? These are all measures of a performance appraisal report, and it is important because it impacts upon the person who is going to be acting, or who is acting and whose acting appointment has not been confirmed.

Madam Speaker, I put it to you, and to this House, that if we had an efficient and an effective system of appraisals and acting on those recommendations from senior officers, and particularly from the Chief Fire Officer, we will not be here spending parliamentary time discussing this matter because they would have all been confirmed within the time. And it is because it is not happening, because of this anomaly, as I say, that people might be recommended for developmental purposes to go to the joint staff college. Madam Speaker, it is important for us to speak about the context of training, because that will also enhance, even in an acting capacity, your opportunity for being confirmed in the position in which you are acting. And without the performance appraisal and the assessment, there would be little opportunity. You would be able to challenge it, because there is no objective criterion basis upon which you would be able to do that.

Madam Speaker, I now want to turn my attention to the payment of pension, which may have been mentioned. But I want to say that the computation and authorization—and this is section 43(1) of the Fire Services Terms and Conditions of Employment Regulations, it states, and I quote:

“The computation and authorization of pensions and gratuities of officers whose retirement from the Service is known to be impending shall be treated as urgent matters of high priority.”

Madam Speaker, you would have heard, I am sure, from my colleagues—and I do not want to repeat it in any great detail—the fact that many persons may

retire and be left wanting. The norm is that six months before retirement, and in some cases one year before retirement, if you are serving in that promoted capacity or acting capacity, you are supposed to have all your documentation properly delivered to the authorities to ensure that you are complying with the requirements so that you would be able to get your gratuity on time. Madam Speaker, I do not think it is any secret in this country that not only six months after, or eight months after, sometimes a year, sometimes two years, people are languishing without getting their pension and their gratuity on time.

Why is it after serving for $33\frac{1}{3}$ years, for example, in the teaching service, or in the public service, you have to sometimes wait $33\frac{1}{3}$ months to get what is due to you? And that is why I said earlier in my contribution, this must also be seen as an attitude of ingratitude. But you know, it is only when you reach to that position in life, where you have to depend on a monthly income through pension or otherwise, then you recognize what people would have suffered before you came to that position.

Madam Speaker, I want to suggest the following: that in spite of having to wait for so long for your pension and your gratuity to be paid to you, why is it impossible for us, based on the calculation, to not make an interim payment to those persons, so that they will be able to have something to go on until such time that the Comptroller of Accounts calculates—and if he has to deduct and all the other things that we need to do; if you are owing; if you have been overpaid. But why is it not possible for us to get a part payment, even a small amount? During which time—and no amendment speaks to that. In fact, if it is there, it is going to be mandatory for us to become efficient in ensuring that the gratuities and pension are attended to expeditiously, as stated in the regulations, as a matter of urgency. And I think we should look at that carefully. Sometimes, you know, unfortunately,

people who are waiting on their pensions and their gratuity, exit this life without having received anything, and then their families are left in a legal conundrum as to how to secure what is due to their loved one.

Madam Speaker, I also want to suggest that because we are operating on fixed incomes and fixed pensions for the rest of our lives, that maybe there should be some consideration that it could be adjusted to the cost of living index. What we are looking at when you get your sums of money after two years, you could calculate the net present value of that sum and see how much you have lost, let alone calculate it on the basis of the cost of living or the basket of goods and the rate of inflation. You would suffer a loss. And imagine you are suffering a loss at a time when your money is fixed. It is scarce. It is almost like a barrel of water. You have to live on that and there is nothing to pour back into it. You live on a month-to-month basis. Therefore, I make that call that the increases should also be tied to the public sector. These are our citizens who have served us well, the fire officers. They have gone, as both my colleagues from Mayaro and Point Fortin mentioned, that while people are running away from the fire, these fire officers are running into the fire. They are in the heat. Their lives are at risk, and unfortunately, some of them, in trying to save the lives of others, lost their lives.

Madam Speaker, one of the fears of the officers I have spoken to as well, is that this amendment does not sound new. But what they are afraid of is that this is another amendment whose enforcement and implementation may be very tardy in happening, if at all. And therefore, reference is made to the emergency ambulance Act, proclaimed in 2014, when it was actually passed in 2012. So there has been a stagnation of promotions in the fire service in spite of the moratorium.

Madam Speaker, I want to also indicate, as well, that I am not ascribing blame, as I am hearing the whispers. This is a national issue. This is an issue that

affects people's lives, and therefore we must take this issue very seriously. Madam Speaker, on the basis of equity and on the basis of resources and facilities, I am also advised that there are no female supervisor quarters; that male and female share the same dormitory facilities. Madam Speaker, that could not be acceptable, and therefore, I want to ask my colleague, the Member for Point Fortin, to look at that carefully. Therefore, this is what I got first-hand from fire officers and therefore it is not something that I am ascribing any blame, unfortunately, or without information to. I will not get into that kind of situation.

Madam Speaker, we are also advised that even as the fire service must be over-sighting occupational health and safety, that even in the fire stations they do not have a fire certificate. Could you believe that?

Hon. Member: They do not have a what?

Mr. F. Karim: A fire certificate, which will tell you where the muster points are and so on. But before you get approval—and now my colleague, the hon. Minister of Finance, the Member for Diego Martin North-East has spoken this evening about the tax to the Valuation Division—you will find that some of these commercial properties, to have their completion certificates must have fire approval. But the fire service themselves, in the fire stations, do not have the certificate. How are they going to correct a situation?

8.00 p.m.

Madam Speaker, I want to also indicate, as my colleague the Member for Point Fortin mentioned in his contribution, that we want to make sure that we have all the fire equipment and appliances. We know in this country, as well, it takes a long time sometimes, unfortunately, for the fire tenders to arrive on the scene, and by the time they do it, it is too late. But I want to make reference of something, that in order to maintain Category 9 status at the Piarco International Airport we

must ensure that all our appliances and the firefighting equipment are appropriate, serviced well, and in working order.

Another thing that has hampered all of us, and we are looking on at the fire services, is that the Minister must take notice—I am sure he is aware of it because he did say that he met with the Fire Services Association and they would have told him about the lack of auxiliary personnel. Madam Speaker, would you believe that one of the reasons we are advised for the tardiness and for the long-acting appointments of fire service officers is because you do not have sufficient auxiliary staff to assist in the preparation of the annual performance appraisal reports, and therefore, the Minister has the authority to call out auxiliaries, and we hope that he will give consideration to that as we address this situation of the amendment.

Madam Speaker, as well, we would noticed that the police has an administrative building, the coast guard has their administrative building, but I do not know whether the fire services has an administrative building, and if they do, with the exception of the fire prevention in Chaguanas and a building which they are renting, I think it is time for us to properly have the appropriate infrastructure for people to address their various concerns in the fire service.

Madam Speaker, I did indicate earlier on about the whole concept of motivation, and one of the things that I want to just complete in terms of my point on motivation is with respect to Homans' Exchange Theory and Adams' Equity Theory and, that is, that employees' productivity and satisfaction or dissatisfaction really arise from their perception of fairness or unfairness. If you are not submitting the annual performance appraisal reports—and I am dealing specifically here with those acting appointments—that really is inequity; that really is unfairness.

Madam Speaker: Hon. Member for Chaguanas East, your original 30 minutes

Mr. F. Karim (cont'd)

have expired. You are entitled for 15 more minutes if you wish to avail yourself of it.

Mr. F. Karim: Yes, thank you very much.

Madam Speaker: Please proceed.

Mr. F. Karim: Thank you very much, Madam Speaker. Madam Speaker, earlier on I did indicate that—and I am using substantially the basis of the performance appraisal report to put forward some of the points that I am dealing with here this evening, and one of the things that we looked at in that report is the whole aspect, as I indicated, of employee development and employee improvement and that will come either from not only teamwork, but it will certainly come from the exposure to personal and professional development.

I am advised that while the Act makes reference to a fire service school, one of the questions we want to ask is: how effective is this school; whether it is properly staffed; where is the location? I am sure that my colleagues on the other side will be listening to where the location is because they may not know that some of the programmes that are conducted through the fire service schools are conducted at Savonetta in central Trinidad, near to the Point Lisas Industrial Estate, in courses such as fire prevention, discipline, high-rise fighting, breathing apparatus—[*Interruption*]

Madam Speaker: Hon. Member, I think I have been following so far how you have been linking things, but I think you really need now to rein back in. I am not sure where this is carrying us.

Mr. F. Karim: Thank you, Madam Speaker. And where it is carrying me as well is the whole aspect of the full completion of the annual performance appraisal report, in which if that is the basis for us to confirm an appointment, an acting appointment, that is the only instrument—and what is written inside of there—

among which is the personal and professional development of which training is an important part, and that is the link I am making to it.

One of the things I wanted to also suggest is that these retirees, as they retire, they are also forgotten, and therefore, my colleague made reference earlier on today in terms of the silver economy and it might be an opportunity for us to also continue to create and to absorb the return of the investment of the taxpayer dollar in those acting appointments because in some cases persons act in a higher position not only because of their performance, but because they may have been sent on various courses and successfully completed those courses, and therefore, it might be an important aspect of future development for us to examine the return of that investment through the retirees assisting in the Trinidad and Tobago Fire Service.

Madam Speaker, as I conclude, I just want to indicate for purposes of comparison, and also for suggestion to the hon. Minister of National Security and the Minister of Finance—and I looked at 10 countries with the world's best pension schemes. That information was obtained from the *Telegraph* website, a UK newspaper, and the Mercer index. The first country that I am going to share with you is Denmark, and I say this in the context of what the Bill is asking for and what the Bill is talking about here in terms of pensions and gratuities. Denmark, it is reported, has the best pension system in the world according to the latest Mercer index. It has a basic public pension, but guess what as well? A means-tested pension. I know we spoke about means test here earlier on. A fully funded defined contribution scheme as well as a range of other mandatory schemes. I think the key here is, as I was alluding early on, in terms of aligning the level of pension, or the increase in pension to the basket of goods, to cost of living, or to inflation, and the net present value of money. So a means-tested pension. In Australia, they also have a means-tested pension. In the Netherlands, retirement

income comprises of a flat public pension and earnings related to occupational pension. In Finland, they have a basic state pension which is means-tested. Maybe the time has come for us.

Today, we heard the Minister of Education in his contribution say that we moved the tertiary education rate to 65 per cent and more, which is developed nation status. Well, if it is developed nation status and we want to align what we are doing here in Trinidad and Tobago with the developed world, I want to also suggest, for the consideration of the Government, that a means test for those persons who were acting for such a long period of time, never confirmed, retired from the service, can now be looked at in terms of how do we assist them to live a better quality of life. Switzerland also has that, as indeed some other countries.

Madam Speaker, as I conclude, I once again want to say that we are very proud of the work of the fire services. We commend them. I want to also indicate that we support this Bill, but very importantly we want to ensure that the irregularities, the anomalies, the inefficiencies, the incompetence and the lack of respect for persons who would have served dutifully, but very importantly, the dereliction of duty by the Chief Fire Officer and other officers and other personnel must be adhered to particularly in the submission, the timely submission of the annual performance appraisal reports which are the basis for promotion without which we would go on to three years and more than that.

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

The Minister of Public Administration and Communications (Hon. Maxie Cuffie): Thank you very much, Madam Speaker. I rise to support this Bill and to give some context on the Bill. Now, in December last year I met with the leadership of the Fire Services Association and they prevailed upon me the importance of having this matter attended to, and they also made the point that it

had been long in coming. Now, they had also met with the Minister of National Security, and I told them that he would take care of it, but they felt that they needed some action urgently and when they explained to me how this situation has arisen, I agree with the Member for Chaguanas East that what we are faced here is a dereliction of duty.

Madam Speaker, I just want to go back of the number of agreements that were made dealing with this issue and which were implemented, and the dates are important. So, the Public Service Association of Trinidad and Tobago signed their date of agreement November 07, 2003; the date of implementation was January 01, 2004. For the Trinidad and Tobago Unified Teachers Association, the dates were May 24, 2005; January 01, 2005. For the Trinidad and Tobago Police Service, First Division, January 01, 2004; February 12, 2004. For the Trinidad and Tobago Police Social and Welfare Association, the dates were November 23, 2004; January 01, 2004. The Trinidad and Tobago Prison Services' Association, the dates were January 01, 2007; June 18, 2007. The Prisons Officers' Association, January 01, 2007; October 09, 2007. For the fire services, who signed their agreement on January 01, 2008, the date of implementation was November 09, 2009; and the Fire Service, Second Division, January 01, 2008, the date was March 06, 2012.

So, there is a pattern emerging here that from 2002 to 2010 there were memoranda of agreement followed swiftly by dates of implementation. From 2010, when we had the Member for Couva South as a trade unionist representing workers in the Parliament, in administration, suddenly nothing was happening and it took us five years. Today, a few months after the Fire Service Association brought this to our attention, that we are passing this Bill to ensure that the Fire Service Association get their pensions when it is due for people who have been

acting.

I listened patiently to a lot of the Members speaking about promotions, and the backlogs in promotions, and fire officers not being promoted—I think the Member for Couva South said that, the Member for Mayaro said that—I would just like to inform this House that approximately 400 officers, including both First and Second Divisions were promoted recently. So I do not know with whom they spoke, where they got the information from, but as usual they are never quite accurate in getting information.

I just want to respond also to the Member for Couva South. Now, he said that rather than dealing with pension, the Minister of Public Administration, the only thing he has done was putting Wi-Fi on buses, opening car parks and talking about tombs. Now, Madam Speaker, I also opened the library in the constituency of Couva South. [*Desk thumping*][*Interruption*]

Mr. Indarsingh: The PP Government.

Hon. M. Cuffie: Madam Speaker, that is why I want to talk about the dereliction of duty because I happened to be employed with the then Ministry of Information when the library project was created to build libraries in several areas. Couva and Mayaro were some of those areas.

Madam Speaker, just as over the five years the fire service officers could not get their pension organized, in the intervening five years not a single library was opened. When I went in I immediately opened the library in Mayaro with my friend, the Member for Mayaro; I also opened the library in Couva with my friend, the Member for Couva South. I have a picture that I prize because at the opening of the library, the Member for Couva South came late, but I waited for him because I did not want to disrespect the Member for Couva South by opening a library in his constituency and he was not present. I have this picture where I am shaking his

Hon. M. Cuffie (cont'd)

hand—I am smiling because I am opening the library and the Member for Couva South looks as though he is in a funeral. He is grimacing because I am opening the library that he failed to open.

The Government of Trinidad and Tobago—[*Interruption*]

Mr. Padarath: The People's Partnership.

Hon. M. Cuffie:—following—[*Interruption*]

Madam Speaker: Member for Princes Town, calm your anxiety to participate in the debate, but if you wish when you catch my eyes you will have your turn. Continue please, Member.

Hon. M. Cuffie: Thank you, Madam Speaker—following a plan, a programme that was started in 2009 to build that library, and I am grateful that the people of Couva South appreciate the fact that this is a Government that delivers. Just as we delivered for Couva South, we delivered for Mayaro, and today we are delivering for the fire service officers. [*Desk thumping*]

Now, there has been a lot of talk here today about pensions, and, Madam Speaker, just as we delivered for the people of Couva South and the people of Mayaro and the fire service officers, we are going to ensure that public service officers get paid their pension on time. I just want to go back in the history. The Member for Mayaro and the Member for Chaguanas East spoke about the circulars that have been issued over the years to ensure that public service officers get paid their pensions on time and it is a serious issue. My constituents raised the issue and members of the public contact me in various forms, on various media to express concern about the pension issue, and when I look at all the circulars that were issued dealing with this pension issue—and I will go through them.

On April 05, 1968, a circular was issued to give effect to expedite the payment of pension to public service officers; there was another circular issued in

1989, which just changed the forms; in 1992, a circular was issued to deem this matter one of urgent priority; in 2002, there was a circular ensuring that agencies comply with the directive to treat with pensions; and in 2005 a circular was issued to the effect that pension leave records need to be maintained annually. Now, what these dates show is that throughout history the Government in charge always took the issue of pension seriously.

Madam Speaker, I have gone through the dates. Between 1995 and 2001 there were no circulars issued; between 2010 and 2015 there were no circulars issued because the pension issue was not important to them. So that every Member on that side has stood up to talk about the issue of pensions, but when they have been in office they have done nothing about it.

Madam Speaker, I would like this House to know that only two weeks ago I took a Note to Cabinet which was approved and which has been confirmed to treat with this backlog of pensions, and let me inform this honourable House of the measures that we have taken to ensure that we reduce the backlog of pensions. One of the issues that caused the backlog was the size of the Pension and Leave Departments across all Ministries, and quite often public officers on the establishment would get promoted and when they get promoted they leave the schedule behind and the records—it is a peculiar post that we need to have training in. So you get your training, you get promoted, but then you leave and the new officers have to start afresh, and that seriously hampers the performance of the pension and leave officers and sometimes it leads to smaller departments treating with the issue.

So what we decided to do, based on recommendation of PMCD, is to use predominantly contract officers in staffing the pensions department and giving them one- to three-year contracts to ensure that we have a cadre of officers

dedicated who will not be transferred or promoted and leaving the people's pension in abeyance.

We have also agreed to training both in-house and by the Treasury Division in the preparation and maintenance of pension and leave records to reduce the frequency of errors that are made that sometimes affect the ability for people to get their pensions, and we will also be training the trainers so that across the Ministries we will always have people able to train officers to keep the system going.

We have also agreed to develop desktop manuals so that when an officer leaves there will be a system so that anybody who takes up the schedule would be able to follow how to create a pension and leave record and to get quickly up to speed in terms of building it, but this deals with the problem going back. We need also to look to the future and what we have been doing is trying to develop the IRIS system and to fully make it workable so that when the time comes, your pension and leave records would be easily accessible to the Comptroller of Accounts, because from the first entry into the service all your records will be available online so you do not need to take six months to get your pension.

Now, I think these measures would make it easier to get pensions, but one of the problems we have faced and one of the problems faced by the system is what happened over the last five years. Every time a Ministry was created and dissolved, and we had—I think it was at one point, 33 Ministries. Every time there was a change in a Ministry, there is a change in records. So that if you are trying to track down—if you work in the Ministry of social diversity or national diversity, or one of the other small Ministries, and at some point you get transferred, people would not even know where their pension and leave records are. And a lot of public officers sometimes spend time chasing down records and they do not know where their records are, they do not know the Ministry that they worked for, what

it morphed into, and the only way we can trace that is by ensuring that the IRIS system, which tracks each and every public servant, will be able to show you at the end of the day your records and what is your pension entitlement.

We are working on that system assiduously. We have already upgraded it and we are trying to ensure that each and every public servant has a record that goes throughout his career. So that, to date we have treated with the pension issue and this Bill that is before us today will bring the fire services in line with the prisons, the teachers, the police, and all the other officers in the wider public service as was intended when good governance was the hallmark of the day, and in that short interregnum from 2010 to 2015 when—in fact, let me not say that—the policies that were in place were abandoned, we failed to do good by the fire services just as we failed to do good by public officers generally.

I want to support the Minister of Finance for acting so assiduously on what was really a simple matter, but that was bringing great pain to the fire officers of this country. I have heard all Members talk about the hard work that fire officers do and the fact that they put their life in danger and they should not be allowed to suffer after their retirement, but what we heard from that side was a lot of talk. I thank the Minister of Finance for actually doing something about it.

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

Mr. Rodney Charles (*Naparima*): Thank you, Madam Speaker. My good friend, the Member for La Horquetta/Talparo, a very good gentleman—all I ask is that you be a little gracious. The opening of the Couva South Library and the Mayaro Library, you would have recognized that that is the end product of the foresight and vision of the People's Partnership Government to get that in place. [*Desk thumping*] Secondly, I noticed when you were speaking you held back, maybe you were learning from the empty tomb and the empty Treasury and the need to be a

little more reticent, and that is good as you grow into the job.

Madam Speaker, from the onset let me say that we on the side support the legislation. A lot has been said and I do not want to repeat, just to indicate some specific areas of concern that those opposite may wish to address. Now, as you are aware, the Bill seeks to offer: if an officer acts in a higher position for a continuous period of at least three years, immediately prior to the date of his compulsory retirement on which he proceeds on an annual leave, he would be entitled to an increased pension. We agree to that.

8.30 p.m.

Our concern would be the interpretation of a continuous service. I have spoken to the Police Service Commission, prison service commission, Public Service Association and the Prison Service Association is telling me that the CPO, for purposes of calculating the three years' continuous service, if an officer takes vacation leave and breaks up the three-year segment, they are creating some problems in terms of honouring that as continuous service. All I ask is that the Minister of Finance have a discussion with the CPO to clarify that. Our understanding of continuous service is consistent with the legislation.

The other problem arises where an officer would act—and we are going back to 2008 in the fire service, for example, a FSO, fire station officer will act for an (ADFO), Assistant Divisional Fire Officer, and the ADFO goes for holiday for one year and he returns, and this officer resumes his position, and then another officer takes vacation and he acts. So they use this officer to act for a number of senior officers. My understanding is that the CPO is not seeing that as continuous service and all I ask is that they check to clarify whether the Police Service Welfare Association, whether their interpretation or their information to me is correct, and if so, we take the necessary action.

But when we look at it, we say:

“has acted in a higher office for a continuous period of at least three years immediately prior to the date—

(i) of his compulsory retirement;”

Et cetera. What happens if an officer acts for six years in a vacant position that has been filled and he reverts to his position for a year? Even though he acted for six years, does it mean that he is not entitled to the increased pension based on his service in the higher category? So all we are asking is that we look to make sure that we are not, by a tight definition, by saying “Immediately prior to the date of his compulsory retirement”, that we are not putting some officers at a disadvantage. We may well have a case. Someone acted for 10 years, he reverts for a year and then goes on pre-retirement leave and someone, his colleague, three years, immediately consistent with the legislation. The person who acted for three years would be in a better position than the person who acted for 10 years. I am just saying that perhaps we need to look at that to ensure that we are being consistent across the board.

The associations raised the question of implementation and I think my colleagues raised that so I will not detain. Act 22 of 2006 amended the Fifth Schedule to allow the service of auxiliaries to be recorded as pensionable service if they were promoted subsequently to fire officers. My understanding is that that has not been implemented as yet so we have officers who are getting reduced pensions as we speak or some who have not been able to make the 10 years and they are in all kinds of difficult situations because of the fact that their service as auxiliaries is not being honoured for pensionable purposes. They also alluded to the Act, an Act in the year 2014, that sets standards for ambulance services and this called for the appointment of a medical director in the fire services to head the

ambulance services. My understanding is that this is another example of legislation that had been passed, assented to, proclaimed but not implemented. So they are just wondering if this is just another example of that.

When I looked at the budget speech, I saw that in 2016, \$60 million was allocated for fire services pension; that is 2016. Sorry, in 2016, \$60 million and in 2017, \$60 million has been allocated which means to me that—it would suggest to me that when we were discussing, at the time of budget, that this idea of the pensions, the increased pensions for retirees was not incorporated because I do not see an allocation to reflect that.

Notwithstanding the agreement and I understand that this legislation is based on an agreement with the Fire Service Association, the question I asked is why retroactive unto 2008? Clearly, the officers who have retired, who would be in the most problematic situation financially, are those who would have retired before 2008, given the cost of living increases, inflation, present value of money, et cetera. So that it seems to me that if we are correcting an egregious wrong by saying that persons who have acted in a higher position ought to be given credit for pension purposes, then why up to 2008? What happened to officers before who are in greater need? And I understand that this has been negotiated with the Fire Service Association but we are talking here about equity, we are talking here about principles, we are talking here about across the board—to use their word proportionality.

I heard from the Member of Parliament for La Horquetta/Talparo that some of these benefits have been applied to other associations, the PSA. Did you say in 2003? And you said that the Police Service First Division 2004 and the Prison Service 2007. If that is correct, it means that the prison service and the public servants are in a better position because those who retired in 2004 and thereafter

would be getting this benefit, whereas for fire service officers, it will be for 2008 going forward. So if we want to say that we are Government or we are people and that there is good governance and we must treat all our employees equitably, my suggestion is that we look to making it retroactive prior to 2008.

The problem, as my friends have indicated, is that—this problem has arisen because of the abuse of acting arrangements in the fire service. Let us ensure—and I ask this in terms of just providing information to my friends and sharing information—that as we stand, there are 20 FSOs short out of an establishment of 57 in the fire services, which means that there are a number of acting situations as we speak. So let us not solve a problem today and come up with another one tomorrow. There are 74 FSSOs, fire substation officers, short out of an establishment of 2008.

I am also told by the Fire Service Association that no performance appraisals have been done for the last 20 years. I ask you to check to just make sure because in properly run and managed organizations, the performance appraisals inform the promotion process. And I understand that the problem may have to do with the fact that the HR department in the fire service is understaffed and we may need to look at that. There are two areas. The procurement department because they are saying in terms of equipment, that there is a delay and just for things like batteries to deal with their breathing apparatus and such things. They are getting problems to acquire those because of the fact that the procurement situation needs to be addressed.

And if we are amending this Act, the Fire Service Act by this Bill, the question is, I am asking: why not a holistic approach? Why are we dealing with a segment of the Bill and not the Bill in totality? Section 41(2), for example—and we are talking here about equity with fire services and treating them with respect—

says that anyone who obstructs a fire officer in the performance of his duties is liable on summary conviction to a fine of \$1,200. So we have a fire officer, he can go in an area, be damaged in the process of performing his duties and the limit is \$1,200. I am saying that if we are bringing this Bill, we ought to perhaps look at that.

If we compare it with the police and there was a report of police officers who were owed moneys for duties, and I think it has to do in the West End Division. They say \$700,000 were owed to police officers and they say a corporal for extra duty is paid \$79 per hour; sergeants, \$96; inspectors, \$111 per hour, and assistant superintendents, ASPs, \$124 and so on. So it suggests that there is, at the same time, we are saying that if a fire officer gets damaged, the fine is only in \$1,200.

In the Act, section 38(5) says that the Fire Service Association, the Chief Fire Officer has to depend on and interact with the WASA, Water and Sewerage Authority, and WASA is obligated to provide water on demand by the Chief Fire Officer. And if I read it, 38(5):

“The Authority shall, at the request of Chief Fire Officer, fix fire hydrants...”—to afford a good—“supply...”

But the fine for fire hydrants, if the authority fails to supply, the fine is only \$750 and \$75 per day for each day of non-compliance in section 39 of the same Act. So I am suggesting that we look at the Act in totality to bring it into the 21st Century so that it will lead and redound to a better fire service. And I alluded to this in the previous discussion when we were dealing with the property tax.

And when we look at Schedule 7 of the Act, we see some fees that do not make sense in the 21st Century. If the fire services conducts an inspection of any plant and we could be talking about a plant as big as methanol plant or as small as

a little small entrepreneurial activity underneath a house, the bill for that is \$200. All right. The fee charged is \$200. Inspection and servicing of fire extinguishers, \$30, and I talked about a supervision of burning documents, \$100. So that the fire services, they feel that their services are not appreciated, it is undervalued and at the same time, the Government is losing revenue at a time when they have challenges with respect to equipment.

The question arises since we do not legislate in a vacuum, we have to treat fire—and I got the sense, Madam Speaker, when you speak to fire officers, they are happy to talk to you and nobody takes them on. They see themselves as the stepchild or stepchildren of the Ministry of National Security. And as a colleague, I suggest that the Minister of National Security recognize that and probably the reason why we are here today and all the others have been given the benefit and the fire services are last, suggest that we have to deal with the morale of fire services.

I was coming to Parliament sometime—I could get the date if I look at it—when four fire officers were on the ground because they were trying to help some citizens on the Priority Bus Route and they got electrocuted, and it “kinda” suggested to them and to me that they were not appropriately trained. That incident took place on the—it was reported on October the 6th, 2016:

“Four firemen are being treated at the Eric Williams Medical Science Complex in Mt. Hope after they were injured while assisting citizens distressed by flood waters...”

That may speak to training, that may speak to equipment and that may speak to—I would not want to say that but professionalism and a sense of esteem.

My friend, the MP for Point Fortin, they are in an 85-year-old fire station, it is a wooden structure. And while we speak to that, the association is saying that

no fire station is OSHA compliant as we speak. None in Trinidad and Tobago, including the headquarters in Wrightson Road. So you cannot have our officers—and if we look at that Point Fortin building, it is a wooden structure, 85 years old. It is a fire hazard. The officers had to be—they were in the road and I think subsequently action was taken but it ought not to get to that level. We are talking about citizens of Trinidad and Tobago, people who put their lives in the—

And often, fire officers are at the receiving end of abuse from the population because people feel that they take too long. I have a situation in Princes Town where they have a fire station that essentially has remained unchanged since 19—when I was born, 1949. The only change, I am told, is that one room was divided into two. [*Crosstalk*] Yes, we are the same age. One room was divided into two to house female officers. We cannot in the 21st Century have a fire station in Princes Town that serves a large part of my very spread out constituency, geographically spread out. It takes, Madam Speaker, almost an hour and a half to get from Princes Town to Moruga. They have one fire appliance. They have loaned a second bit of equipment to Rio Claro. So that one appliance, it cannot seat the officers—the driver and one other person—so the other fire support staff, fire officers have to come in another vehicle, head to an hour and a half and most of the houses in Marac are wooden structures. So by the time they get there, the buildings are already destroyed.

All I am asking, the best practices in the United States and in the First World is eight minutes response time to a fire situation. When I lived in New Rochelle, it took three minutes. We always had a problem, if the alarm went off, before you turn, an appliance would be in front of your house and you have to make excuses and go and apologize, et cetera. Trinidad and Tobago, we are in a difficult position and I think we have to start setting some benchmarks for our service. What is the

response time? If in the United States, it is eight minutes, in ours, it could be 30 minutes because that speaks to the location of outposts—fire outposts to facilitate and support that thrust.

In Point Fortin, it is even worse. I have been to Icacos and from Point Fortin to Icacos could take, I do not know, an hour. So if a fire takes place in Icacos that is served by the Point Fortin Fire Station, that is already dilapidated and already has problems, and I suspect undersupplied with appliances and it takes an hour to get to Icacos, well more or less, you are on your own if that happens. I have spoken about the geographic spread, the Siparia Fire Station, 1950, Princes Town, 1949, same structure. San Fernando, in its 1950s, we used to see it by the roundabout, I lived in San Fernando. I understand that nothing significant has happened in terms of making the structure relevant to the needs of a modern fire service.

In fact, there are two problems that I think all of us have to be concerned about. It is the hillsides. When fire takes place on the hillsides, our fire services that is supposed to be the first responder, no appliance could go up in the northern range. So that if you are somebody who is walking, a hiker, and a problem happens, you are on your own. The fire services will try to help but they are not equipped. My understanding is that the air guard could provide Bambi buckets but there is no institutional arrangement for the fire chief to instruct the air guard. He has to rely, it is informal, one does not know. That is my understanding. [*Crosstalk*] It is one Ministry he says. But right now, the fire services, if a fire takes place in, let us say Matelot, there is no institutional arrangement to deal with that fire. My understanding from fire officers, they tell us be careful for buildings over 15 floors in Trinidad and Tobago.

I will just read what are the international benchmarks and the concerns with

fires. I think and I am suggesting as a citizen, as a concerned citizen, that we spend—I understand from my colleague from Chaguanas East that there is some training taking place at UTT for high-rise buildings. I would respectfully suggest that we have a structured plan in place that every fireman understands. So if there is a fire on the 15th floor of one of these buildings, we know what to do. I will deal with that shortly.

In terms of training, I think my friend alluded to it. Fire officers abroad, they are trained in electrical safety in the workplace, certified fire protection, electric vehicle safety for emergency responders. There are training courses in that area. There are endless documents on fire and when you read this, you realize and the fire service officers know and they know that they do not measure up. So when you look at firefighting training best practices, they divide exterior fire-fighting from interior fire-fighting because there are two different competencies and things to look for. Interior structural fire-fighting, they look at this building and see the steel, whether it can take, what are the problems, what to do in that kind of situation, apparatus operators, et cetera.

A study was done in terms of the problems, the best practices and problems in training in fire-fighting, and it is interesting to see areas—they talked about areas like: are these buildings outfitted with fire resistant material? Are the sprinklers operational? Do we have an exit strategy? Do we in Parliament have an exit strategy? So that we are saying there is a need, the fire service officers—this Bill is to develop morale and improvement so that we could be proud of our fire services. They want to deliver, they want to achieve but they get the sense that they are not part and parcel of a system that redounds to 21st Century performance levels.

There is question about legislation, liquor licences. Our fire officers had no

input in it. The police could say yes or no, the fire services are irrelevant in that exercise. In terms of—and I am speaking here from ODPM, in terms of the fire services in that category and reading:

It should be noted that subsidiary legislation that governs specific aspects of comprehensive disaster management also exist. For instance, the fire services (TTFS), and WASA has legislation that governs their daily responsibilities. However, embedded in their legislation are stipulations that distinctly align them with the management of major hazard impacts. It is useful to note that although specific reference is not made to hazards, emergencies or disasters, these elements are implied. Therefore, the existing regulatory framework for disaster management is spread out far and wide throughout Trinidad and Tobago's school of legislation.

So, I am suggesting, Madam Speaker, as we look at this legislation that amends the major Fire Service Act, that we, in future, look at it comprehensively so that we have all aspects dealt with so that it could redound to a modern 21st Century fire services. Thank you. [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. As a parliamentarian of longstanding, sometimes I am quite embarrassed by the statements made by Members opposite who refuse to inform themselves and thus make statements which are silly.

The Bill before us seeks to give effect to a collective agreement negotiated by the UNC, signed by the UNC, under the UNC regime on the 6th of March, 2012. Let me repeat that. The Bill before us seeks to give effect to a collective agreement signed between the Government and the Fire Services Association of Trinidad and Tobago, drafted, agreed, finalized, perfected, executed, conceptualized, approved and agreed by the UNC in March 06, 2012, when the Member for Couva—

[*Interruption*] whatever that is down there—Couva South was a Minister in the Ministry of Finance when the Member for Naparima was preparing to spin the wheel, when the Member for Caroni Central was doing God knows what. [*Interruption*] God knows what.

So questions such as why is this only effective from January 2008 should be addressed to the Government that conceptualized, formulated, drafted, perfected, finalized and signed the collective agreement with the Fire Service Association in March of 2012. Because on that day, a collective agreement was signed between the Government and the Fire Service Association for the period January the 1st, 2008 to December 31, 2010. And in that agreement between the UNC Government and the Fire Service Association, it stated that the Fire Service Act would be amended to permit a fire officer who has acted in a higher position for a continuous period of at least three years prior to the date of compulsory requirement to receive the benefits of the higher office.

And if that was not enough—this is why I say it is embarrassing that Members opposite do not inform themselves. If that was not enough, on the 22nd of March 2012, which would be 16 days later, the Cabinet of the UNC, populated by the Member for Caroni Central, the Member for Chaguanas East, the Member for Tabaquite, [*Crosstalk*] Naparima was still spinning the wheel [*Laughter*] and the Member for Couva South was a Member of Parliament. [*Crosstalk*] So on the 22nd of March, 2012—[*Crosstalk*] Madam Speaker? Thank you. The wheelman just cannot help it.

So the Cabinet, by Minute No. 643, dated March 22, 2012, approved, confirmed the agreement between the UNC Government and the Fire Service Association that this benefit would be effective from January the 1st, 2008. Cabinet also agreed—the UNC Cabinet also agreed that the UNC Attorney General would

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amend the Fifth Schedule to the Fire Service Act to give effect to the terms of the agreement signed by the UNC on the 6th of March—[*Interruption*] Madam Speaker, this continuous drone from the Member for Naparima, it is disturbing.

Madam Speaker: I would like to advise that I am not just only hearing Naparima, I am hearing other voices. I would like Members to kindly observe the Standing Orders with respect to members not speaking, it is late. But I also know, Minister of Finance, that as an experienced politician as you have started, you can rise above that and direct your discourse to me.

Hon. C. Imbert: Madam Speaker, at this time of the night, it is hard to rise above that drone [*Laughter*] from Naparima but I will try my best. So in March 2012, the UNC Cabinet agreed that the UNC Attorney General would amend the Fifth Schedule to Fire Service Act to give effect to this agreement signed and conceptualized by the UNC in March 2012 for the period of January 01, 2008 to December 31, 2012.

It is therefore astonishing, incredible, preposterous, for Members opposite to come to this Parliament today and pretend not to know the origin of this legislation. It is mind-boggling, it is beyond belief, it reminds me by way of example, by a statement made by the Member for Oropouche East about why is the Government forcing property owners to fill out forms when that is in the Valuation of Land Act and has been there since 2009. It is embarrassing when Members of the Opposition fail to inform themselves with respect to the facts. It is embarrassing. And so, Madam Speaker, what this PNM Government is doing today is what the UNC failed to do.

9.00 p.m.

We are providing a benefit to fire service officers [*Desk thumping*] that the UNC promised them in March 2012. But for the whole of 2012, the whole of

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2013, the whole of 2014, and nine months in 2015, they failed to deliver, and that is why they were a “woulda, coulda, shoulda” Government. I beg to move. [*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 and 2 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.

ADJOURNMENT

The Minister of Planning Development (Hon. Camille Robinson-Regis):

Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to Friday, the 28th day of April, 2017, at 1.30 p.m., at which time we will be doing a Private Members' Motion. As of now we do not know what the Motion is and, if it pleases you, Madam Speaker, I will resume my seat to allow the Member for Pointe-a-Pierre to indicate the Motion that we will be doing.

Mr. Lee: Thank you, Madam Speaker. To the Leader of Government Business, we are prepared to continue with Motion No.1 under Private Members Business.

Hon. C. Robinson-Regis: Madam Speaker, at which time we will be doing Motion No.1 under Private Members Business.

Madam Speaker, you would recall that by agreement we will continue the committee stage of the plea bargaining, and Madam Speaker, there may be one other item on the Order Paper for that day and notice will be given in sufficient time. Thank you very much, Madam Speaker. So Madam Speaker, we will

Adjournment

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adjourn to Friday, the 28th day April, 2017, at 1.30 p.m.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 9.06 p.m.