

HOUSE OF REPRESENTATIVES*Friday, June 07, 2019*

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 Hon. Dr. Keith Christopher Rowley, MP, Member for Diego Martin West who has requested leave of absence for the period June 7th to 11th, 2019, and from the Hon. Shamfa Cudjoe, MP, Member for Tobago West, the Hon. Kamla Persad-Bissessar SC, MP, Member for Siparia, and Dr. Bhoendradatt Tewarie, MP, Member for Caroni Central, who have requested leave of absence from the today's Sitting of the House. The leave which the Members seek is granted

CONDOLENCES**(MR. MANICHAN RAMSARAN)**

Madam Speaker: Hon. Members, as you may be aware, Mr. Manichan Ramsaran, former MP, passed away on Thursday May 30, 2019. Mr. Ramsaran served as the Member of Parliament for Caroni East in the Second Republican Parliament during the years 1981 to 1986. I now invite hon. Members to pay their respects to Mr. Manichan Ramsaran. Member for Arouca/Maloney.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, it is with great sadness that we record the death of our former colleague, Manichan Ramsaran, who was the Member of Parliament for Caroni East. Madam

Speaker, Manichan Ramsaran won the Caroni East seat for the People's National Movement at the 1981 general election and served in the Second Republican Parliament from November 27, 1981, to November 27, 1986. His was a particularly momentous victory because it was the first time that the PNM was able to wrest this seat from the Opposition and the only other time that we had a Member of Parliament in this seat was when we had the now infamous "No Vote Campaign" of 1971.

Madam Speaker, for us in the PNM, Manichan Ramsaran remained a friend and a colleague. In fact, our political leader and Prime Minister recalls the fact that that election, both he and Manichan Ramsaran fought seats, the political leader or Prime Minister in the Tobago West constituency, and Manichan Ramsaran in the Caroni East constituency. Manichan Ramsaran won, the Prime Minister lost. Madam Speaker, it was very noticeable with regard to Mr. Ramsaran that he had a zeal for life, not only for the PNM, but he was selfless and he had a genuine desire to enhance the quality of life of his constituents.

Manic, as he was fondly called by his supporters and detractors alike, was an astute businessman who never lost touch with those who had won him his wealth. He was extremely generous, often donating funds to community groups, sporting organizations and individuals and sometimes out of his parliamentary salary. The fact that he emerged from a family well known for its business acumen never stopped Manic from interfacing with the ordinary citizens of central Trinidad. Indeed, his reach went far beyond the boundaries of his constituency, as he could often be found at every event taking place in the wider Central district, easily overcoming the divides of class, creed, and political affiliation.

As a Member of Parliament without portfolio, Manichan Ramsaran was free to engage in endless streams of community outreaches. If the central constituencies are today home to several village and community councils, it is due in no small measure to the diligence and inclusiveness of Manic Ramsaran, who, perhaps more than most, understood the need to organize citizens at the grassroots level first.

Madam Speaker, the death of any parliamentarian whether serving currently or having already served leaves a void in the politics. Their contribution, in whatever way it may be perceived, always increases in significance against the background of all that was sacrificed as they served their country. Manic Ramsaran proved that one could be a good politician and still remain a good person. He sacrificed much during his tenure and today leaves us with his integrity and good name solidly intact. Today, we of the PNM join with those on the other side, and indeed the rest of the country, in mourning the loss of one of its servants.

We take this opportunity to thank his family, his son Rajiv and his daughter for the sacrifices they too would have made and express our deepest condolences at his passing. Madam Speaker, we attended the funeral of Manichan Ramsaran and we were deeply moved by the closeness of his family, and on this occasion, we take the opportunity to again extend condolences to his children and his sisters, his brother, his nephews and nieces and his entire household.

Madam Speaker, may his soul rest in peace.

Madam Speaker: Member for Oropouche East.

Dr. Roodal Monilal (*Oropouche East*): Thank you very much, Madam Speaker. Madam Speaker, it was on May 31st that we learnt of the passing of

a former Member of the House. Incidentally I also learnt of this passing due to a press release or a release of some kind by the People's National Movement. I would just speak and add a few matters, because the Member for Arouca/Maloney really captured in essence the several issues I wanted to raise in commemorating the life of Manic Ramsaran. It is from this release actually that the Member would have read, and I would not re-read the items but to add that I found it passing strange that having commended the life of a great soldier of the party, the party would have mistakenly put Caroni West and not Caroni East on their release.

It was subsequently stated in a newspaper as Caroni West, but just to be very clear, in 1981 in a campaign that involved the PNM, the ONR and I believe the National Alliance of Trinidad and Tobago, Mr. Ramsaran indeed was victorious in the Caroni East constituency. It was one of two constituencies won by the PNM in that year, which until then I believe they were never held. The other was Amoy Mohammed in Princes Town and it was I believe the election after the passing of the founder leader of PNM, Dr. Eric Williams.

Madam Speaker, Mr. Ramsaran was known in central and throughout the country as a very, very colourful character. It was an era of politics when to say colourful did not mean skin colour. It meant flair, it meant charisma, it meant talk and toughness. He was known in those parts, Madam Speaker, as a very tough politician and not one you would easily want to confront. I hope some of our younger colleagues today would recall those lessons.

In fact, Madam Speaker, myself and the Member for Couva South, who both worked in the sugar union and in central Trinidad during those years, recall Mr. Ramsaran as a very tough personality. And notwithstanding

his clear affiliation, his clear participation and commitment to the People's National Movement, he was always someone that one approached easily and had very good contact and indeed we would have enjoyed over the years some of his company.

Madam Speaker, he was also a great lover of Indian culture and in central Trinidad and outside, he was known for that passion for the cultural art forms, particularly of the East Indian community.

In 1986 I believe it was when there was the NAR revolution almost, I believe it is the Member for Caroni Central who replaced him as the Member for Caroni East at that election. So there are several colleagues in the Parliament who have some knowledge of his record. As a community activist, as a social activist, as someone who readily contributed to charity, his name lives on. His family, a very able and well-known business family, has done very well in the area of land development and other businesses in central Trinidad and he has made an indelible contribution to the central community particularly, but also to the nation via his participation in Parliament. It lasted five years, but five years is still a useful stint. Madam Speaker, on behalf of the Opposition Members and the Opposition Leader, we extend our deepest condolences to the family, friends, supporters of Mr. Manic Ramsaran and we pray that his soul will rest in peace. Thank you.

Madam Speaker: Hon. Members, I too wish to pay tribute to Mr. Manichan Ramsaran. During his parliamentary term, the *Hansard* record reflects that Mr. Ramsaran served on three Special Select Committees and actively voted on numerous Bills and Motions. Hon. Members, today we remember Mr. Manichan Ramsaran not only as a parliamentarian and as an astute businessman, but as a man of integrity, loyalty and devotion in all aspects of

his life. He was a true champion for enhancing the quality of life for his constituents, highlighting the needs of all citizens and was well known for his selflessness. He was indeed a faithful servant of our twin island Republic.

Hon. Members, as we reflect on the life of service of Mr. Ramsaran, may we be motivated to strive to achieve and emulate his high standards of excellence in service to our country. I take this opportunity to express my deepest condolences to his family during this time of mourning and I pray that the Almighty grants them the comfort and strength needed in this time of bereavement. I now ask that we stand and observe a minute of silence as a mark of respect.

The House of Representatives stood.

Madam Speaker: May his soul rest in peace. Hon. Members, an appropriate letter will be sent to convey our condolences to the family of Mr. Manichan Ramsaran.

1.45 p.m.

PAPERS LAID

1. Errata to the Report of the Auditor General of the Republic of Trinidad and Tobago on the Public Accounts of the Republic of Trinidad and Tobago for the financial year ended September 30, 2018. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Report of the Central Bank of Trinidad and Tobago with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended March 31, 2019. [*Hon. C. Imbert*]
3. Annual Report of the Telecommunications Authority of Trinidad and Tobago for the period October 2017 to September 2018. [*The*

4. *Minister of Planning and Development (Hon. Camille Robinson-Regis)]*
5. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Twenty-Third Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the National Agricultural Marketing and Development Corporation for the financial years 2008 to 2011. [*Hon. C. Robinson-Regis*]
6. Ministerial Response of the Ministry of Social Development and Family Services to the Seventh Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the Management of the Targeted Conditional Cash Transfer Programme. [*Hon. C. Robinson-Regis*]
7. Ministerial Response of the Ministry of Health to the Sixth Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the Establishment of Systems for the Maintenance of Drainage and Roadways. [*Hon. C. Robinson-Regis*]
8. Tobacco Control (Amendment) Regulations, 2019. [*The Minister of Health (Hon. Terrence Deyalsingh)*]
9. Immigration (Amendment) Regulations, 2019. [*The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young)*]

URGENT QUESTIONS

Port of Spain Magistrates' Court (Explosion in Vicinity of)

Dr. Roodal Moonilal (*Oropouche East*): Madam Speaker, to the hon. Minister of National Security: Could the Minister state the nature and cause of a reported explosion and/or disturbance in the vicinity of the Port of Spain

Magistrates' Court this morning?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young):

Thank you very much, Madam Speaker. At approximately 9.15 a.m. this morning there was an explosion outside of the Ministry of National Security and the Hall of Justice, on the corners of Duke and Abercromby Streets. The area was immediately cordoned off by the Trinidad and Tobago Police Service and investigations began.

Through the use of nearby CCTV camera footage we were able to subsequently ascertain, along with the help of the fire services and Trinidad and Tobago Electricity Commission, that the explosion was caused by a faulty underground T&TEC line.

I would like to take this opportunity to thank all of the men and women in the Trinidad and Tobago Police Service who responded, the Canine Division as well as the Explosive Devices Squad and all of the other men and women in the police service who cordoned off the area, the Trinidad and Tobago Fire Service, the T&TEC crew and also the other members of National Security who assisted during that time.

Dr. Moonilal: Thank you very much. Mr. Minister, thank you for the explanation. Could you indicate whether or not T&TEC has indeed embarked upon any remedial measures to fix that problem and ensure something like that does not happen again?

Hon. S. Young: Madam Speaker, T&TEC have—

Hon Members: Has.

Hon. S. Young: T&TEC has embarked upon remedial work. When I was leaving the Ministry to come here a short while ago they had already

begun—with respect to the assurance that this will not happen again; of course there is no way that such an assurance can be given.

T&TEC are doing—they are doing a good job. From what I saw this morning, this explosion caused a number of outages throughout areas of Port of Spain, and through a systematic, logistic programme they were able to bring those areas back on to the grid, and they are now addressing this problem.

Dr. Moonilal: Thank you very much, Mr. Minister. At this time could the Minister give an assessment of the extent of any disruptions to proceedings at the nearby courts that resulted from this disturbance?

Hon. S. Young: Madam Speaker, as a result of the initial explosion and the security protocols that were immediately put into place; yes there is disruption to the Magistrates' Court sitting. Also, I am not quite sure whether there is disruption to what was going on in the Hall of Justice. I do not believe so. Later on, we did take—a decision was taken, rather, that they should embark upon their evacuation procedure, and it was shortly thereafter that the cause of the explosion was ascertained.

**Immigration Detention Centre Inmates
(Registration for Amnesty)**

Dr. Fuad Khan (*Barataria/San Juan*): Thank you very much, Madam Speaker. To the Minister of National Security: Could the Minister of National Security indicate whether all inmates of the Immigration Detention Centre are able to register for amnesty as per the Venezuelans at present?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, the answer is no. Currently the inmates at the IDC who are entitled to register are the Venezuelans, once they are not at the IDC for any

criminal charges. So if they are there as a result of overstaying their time in Trinidad or entering illegally, and that is the only reason that they are being held at the IDC, then they will be allowed to register. The logistics for that are being put in place.

We had had conversation at Cabinet as we had announced when we talked about this policy of looking at Caricom nationals, Africans nationals, Chinese nationals, Cuban nationals and other nationals who are currently at the IDC. And I will be taking a note to the National Security Council as to how we deal with some of these other persons who are at the Immigration Detention Centre currently, and maybe extending the amnesty to allow them a similar provision.

Dr. Khan: Minister, is it true that the Prime Minister has indicated that the Africans should be given the same type of amnesty?

Hon. S. Young: Madam Speaker, as I just said, and if we go back to the records, it would be reflected that when I announced at post-Cabinet seven or eight weeks ago the implementation of this registration process for Venezuelans, I ended by saying that we would be looking at extending it, as I have just said, to others, including those from the continent of Africa who may be held at the IDC. What the Prime Minister did say at post-Cabinet yesterday, he was asking me as the Minister of the National Security to look at it and to come to the National Security Council with a policy along the lines that we had already addressed at Cabinet previously.

Dr. Khan: Minister, the cost of keeping one inmate at the detention centre last time you indicated was about \$15,000 to \$25,000 per person. Do you think the taxpayer should be continuously burdened with this amount of money?

Madam Speaker: Out of order.

**National Gas Company
(Sudden Departure of Chairman)**

Dr. Roodal Moonilal (*Oropouche East*): To the Minister of Energy and Energy Industries: Could the Minister state the reasons for the sudden departure of the Chairman of the National Gas Company of Trinidad and Tobago Limited, Prof. Gerry Brooks, at a time of heightened top-level international negotiations on energy pricing, contractual and commercial arrangements involving the Prime Minister and his touring party, of which you are a member?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam Speaker, let me start by putting one fact on the table. Service on state boards are voluntary positions for people who are willing to bring their skills, talent and experience in the performance of national service. So it is not a job. In that context Mr. Brooks was one such person. He is an attorney-at-law, served as Vice-Chairman of the Law Association of Trinidad and Tobago. He was a senior company executive, having served as Chief Operating Officer of the ANSA McAL Group of Companies. He brought to the table experience in law, negotiation and commercial evaluation.

I want to go on record to say that the Government of Trinidad and Tobago and the Minister of Energy and Energy Industries and the Ministry of Energy and Energy Industries want to thank Mr. Brooks for a well-served time as Chairman of the National Gas Company. [*Desk thumping*] He faced many challenges, the most significant of which resulted from the tardiness and negligence of the United National Congress for not negotiating new gas sale contracts—[*Crosstalk*]

Madam Speaker: Order! Order!

Sen. The Hon. F. Khan:—which left him with a burden of over \$4.2 billion in claims. He has brought it down to manageable proportions. That is his greatest achievement. [*Desk thumping*] He has indicated the reason he has resigned is to focus on his family law practice, which he plans to expand, and he wants to, having just been bestowed with the honour of becoming a Professor of Practice at the University of the West Indies to spend more time and dedicate some of his time to the thrust of the university in entrepreneurship and innovation. Once again, I want to thank Mr. Brooks for his service to Trinidad and Tobago.

Dr. Moonilal: Mr. Minister of Energy and Energy Industries, are you seriously asking the Parliament to believe—are you—that Prof. Brooks sudden departure at this time had to do with the pain and the burden of carrying the enterprise after the People’s Partnership administration?

Hon. Member: Yes. [*Laughter*]

Dr. Moonilal: It is a serious matter.

Sen. The Hon. F. Khan: It is not his reason for leaving. His reasons for leaving are well articulated here in his letter of resignation. [*Crosstalk and laughter*] What I said, the main challenge he faced and one of his greatest accomplishments during his tenure at the National Gas Company was to rectify negligence on behalf of the United National Congress. [*Desk thumping*]

Dr. Moonilal: Mr. Minister, given the challenges in that sector, and clearly the recent developments of the travel of the Prime Minister, yourself and others, does this departure of Mr. Brooks from one company but several subsidies and so on, pose any challenge now in terms of going forward, and when could we expect the appointment of a new Chairman of the NGC?

Sen. The Hon. F. Khan: Obviously one of the most important state sector positions is Chairman of the National Gas Company, so that position will be filled in the shortest order with a person with the required competency. Mr. Brooks, while he will be missed, I think there is enough succession, there is enough depth at the NGC to fill the space that he will be leaving, and most of the negotiations, as we speak, that the Prime Minister championed when we were abroad were in fact Government negotiations.

**Petrotrin Executive Chairman Malcolm Jones
(Lawsuit Against)**

Mr. Rodney Charles (*Naparima*): To the Attorney General: Could the Attorney General state why has the Government not yet fulfilled the May 23rd promise by the Prime Minister to release documents relating to the State's decision to drop its multi-million-dollar lawsuit against former Petrotrin Executive Chairman Malcolm Jones?

The Attorney General (Hon. Faris Al-Rawi): Thank you, Madam Speaker. May I start off by saying that the question is inaccurate and based upon a very strong false position. The State took no decision to end the Malcolm Jones matter. The company, Petrotrin, upon receiving advice from attorneys-at-law, including Gerald Ramdeen, Vincent Nelson, Varun Debideen, where they confessed that they were in difficult position for a badly organized case, lacking in evidence and where there was a material non-disclosure of critical witness statements which effectively pulled the rug out of the litigation, the state company Petrotrin took the decision.

This was in effect a suppression of evidence.

Witness statements were not presented to Queen's Counsel. They were not considered, and when they were forced into open disclosure by an application coming from Mr. Jones' team, it was in those circumstance that Petrotrin was compelled to.

With respect to the disclosure, Petrotrin has been instructed to disclose the statements. In fact, I have gone so far as to obtain the statements myself so that they I can ensure that that is to be disclosed, and that will be anchored into law when we come on Monday to debate an amendment to the Freedom of Information Act, so that the State can discharge its responsibility in the fashion that it ought to.

Mr. Charles: Hon. Attorney General, did you brief the Prime Minister on this matter prior to his statement that he was going to release the documents, and why did you wait—

Madam Speaker: One question at a time.

Mr. Charles: Right, one question. And why did you wait the two-week window period? Why did you allow it to elapse before documents were released—the witness statements?

Hon. F. Al-Rawi: Madam Speaker, the Companies Act is the law of Trinidad and Tobago. Section 60 of the Companies Act dictates that a company cannot abdicate its responsibilities and pass off the litigation management to another entity. Petrotrin, under the UNC, in agreeing to let Anand Ramlogan manage the litigation, broke the laws of Trinidad and Tobago. [*Desk thumping*] That is a serious breach of the laws of Trinidad and Tobago which put the directors of Petrotrin in jeopardy under section 99 of the Companies Act. To take the advice of Naparima in relation to the law is to be consistent with the bad advice that the UNC operated under.

Mr. Charles: That is why you got “bouff”.

Madam Speaker: Member for Naparima!

**Escape of Jamaican National
(Details of)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Madam Speaker. To the Minister of National Security: In light of the reports that a Jamaican national who was denied entry into Trinidad and Tobago managed to escape the authorities and enter the country, could the Minister update the country on the status of his capture as well as the reason for the breach in security?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. There is currently an investigation taking place with respect to the escape of this Jamaican national, and I do not want to say anything more on that as the authorities are doing the work that they are required to do.

With respect to the breach in security, that too is currently under investigation as to how this individual managed to make his way from the holding room at Piarco Airport.

ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. There are 14 questions for oral answer, we will be answering 12 of these questions. We are asking for a two-week deferral of questions 179 and 232. There are three questions for written answer, we will be answering all three.

Thank you, Madam Speaker.

WRITTEN ANSWERS TO QUESTIONS

**Agricultural Access Roads in Mayaro
(Details of)**

216. Mr. Rushton Paray (*Mayaro*) asked the hon. Minister of Agriculture, Lands and Fisheries:

Further to the response to House of Representatives Question No. 41 on December 6, 2017, could the Minister provide the list of all Agricultural Access Roads rehabilitated in the district of Mayaro from December 2017 to March 2019?

**Agricultural Land Leases Mayaro District
(Details of)**

217. Mr. R. Paray asked the hon. Minister of Agriculture, Lands and Fisheries:

Could the Minister provide :

- a) The list of all agricultural land leases granted to farmers from the district of Mayaro from September 2015 to March 2019; and
- b) The application date of each successful applicant in part (a).

**National Commission for Self-Help Grants
(List of Applicants from Mayaro District)**

220. Mr. R. Paray asked the hon. Minister of Community Development, Culture and the Arts:

Could the Minister provide a list of applicants for the National Commission for Self Help Limited grants from the district of Mayaro between September 2015 and March 2019 and the status of these applications?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper:

**Government Ministries
(Number of Vacancies and Contract Positions)**

179. Further to the response to House of Representatives Question No. 145 on July 1, 2017, could the hon. Minister of Public Administration provide:

- a) the number of vacancies in the permanent establishment in each Ministry from March 1, 2016 to March 31, 2019; and
- b) the number of vacant contract positions in each Ministry from September 2015 to March 31, 2019? [*Mr. F. Karim*]

**Tobago Jazz Festival 2019
(Details of)**

232. With regard to the Tobago Jazz Festival 2019, could the hon. Minister of Tourism state:

- a) the cost to the THA to host free concerts during the Festival;
- b) the cost to the THA to secure Toni Braxton and Michael Bolton to perform;
- c) the visitor arrivals for the Festival;
- d) the cost to wet lease an additional aircraft to service the Tobago air bridge; and
- e) the revenue derived? [*Ms. R. Ramdial*]

**POS General Hospital Blood Bank
(Carnival Weekend Closure)**

208. **Mrs. Vidia Gayadeen-Gopeesingh** (*Oropouche West*) asked the hon. Minister of Health:

With regard to a report on March 21, 2019 indicating that a seventy-two-year-old woman died at the Port of Spain General Hospital due to the closure of the blood bank during Carnival weekend, could the Minister state the reasons for the closure of the blood bank?

The Minister of Health (Hon. Terrence Deyalsingh): Madam Speaker, the National Blood Bank of Trinidad and Tobago was fully operational during the entire Carnival period, and operates on a 24-hour, seven days a week schedule. Let me repeat: The National Blood Bank of Trinidad and Tobago was fully

operational during the entire Carnival period.

As is the norm during the Carnival period, the Port of Spain Blood Donation Centre was closed due to its proximity to major Carnival activities. This did not affect the ability of hospitals, both private and public, to source blood supplies from the National Blood Bank. As a result I am advised that no patient was adversely affected by a lack of blood supply during the Carnival period.

It should be noted that the Port of Spain Blood Donation Centre is not an emergency service, and blood supplies were available during the entire Carnival weekend at the National Blood Bank, and at the blood donation centres located at the Eric Williams Medical Sciences Complex and the Sangre Grande Hospital. Thank you very much, Madam Speaker.

**Lack of Medical Services for Prisoner
(Infringement of Human Rights)**

209. Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*) asked the hon. Minister of National Security:

With regard to a social media video posted on March 21, 2019 that depicted an inmate claiming an infringement of basic human rights due to lack of medical services, could the Minister provide the reasons why medical services are not available in a timely manner?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Numerous videos are posted on social media every single day. There are also several social media platforms where videos are posted such as Facebook, Twitter and Instagram as an example of three.

In the absence of specificity, it is not possible to ascertain which social media posting this question is referring to. Notwithstanding this, the basic human rights of inmates at the various state institutions in Trinidad and Tobago such as

prisons, hospitals and the Immigration Detention Centre are not intentionally infringed upon. At such institutions where medical services are required to be provided to inmates, these services are generally provided in a timely manner subject to prevailing circumstances, and are taken with the utmost importance.

Mrs. Gayadeen-Gopeesingh: Hon. Minister, this particular video had to do with an inmate whose hand was broken. Is it true that what he was saying that his hand had a cast and he had to be mandated to do masonry? That is what he was saying. Is that true or not?

Hon. S. Young: Madam Speaker, the first thing that comes to mind, having listened to the Member for Oropouche West, is again exactly what video she was referring to. What we are finding is that there are a lot of videos being circulated on social media that are not even from Trinidad and Tobago. Unfortunately a lot seem to be circulating from that area in social media space, and I am still not sure to what my friend is referring, whether it is Trinidad and Tobago, whether it is another Caribbean island, whether it is in the United States, whether it is in the United Kingdom whatsoever. What I can tell you is that as the Minister of National Security no such report came to me, and I get reports all of the time from the prison system in Trinidad and Tobago.

Tertiary Education Institutions (Accurate Statistics on Students)

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

Could the Minister state the measures being taken to record and provide accurate statistics on:

- a) the annual number of students enrolled at all tertiary education institutions; and
- b) the annual number of graduates from the programmes offered within

Trinidad and Tobago?

The Minister of Education (Hon. Anthony Garcia): Madam Speaker, the Ministry of Education utilizes a number of measures to record and provide accurate statistics on, (a), the annual number of students enrolled at all tertiary education institutions, and (b), the annual number of graduates from the programmes offered within Trinidad and Tobago.

For public institutions, data is requested in January in respect of enrolment and the number of graduates from the previous academic year. Also, the data is checked thoroughly when received, and where queries arise, the relevant institution is asked to correct any discrepancies to ensure accuracy. And further, only after the final data on enrolment and the graduates is verified and certified as correct will the information be used for reporting purposes.

With respect to private institutions, an online survey is administered in June and July to capture enrolment of the current academic year, and the number of graduates from the previous academic year. The data is analyzed between August and October and reports, benchmark calculations and extracts are presented and made available by December. Thank you very much.

Mr. Karim: Hon. Minister, can you say whether the data for the years 2015, 2016, and 2017 and 2018 are available?

Hon. A. Garcia: Madam Speaker, the answer is yes. The data is available. **Mr. Karim:** And will you be able to access it as you had indicated via written communication from the Ministry of Education.

Hon. A. Garcia: Madam Speaker, that also answers yes to the question.

Flood Management in Mayaro (List of Completed Works)

213. Mr. Rushton Paray (Mayaro) asked the hon. Minister of Works and Transport:

Could the Minister provide the list of completed works to reduce and manage flooding in the district of Mayaro in anticipation of the upcoming rainy season?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Madam Speaker, projects in the district of Mayaro under the desilting programmes are in three phases. All programmes under phase one have been completed. Three out of seven have been completed in phase two, and phase three projects are expected to commence in the fourth quarter of fiscal, pending the release of funding.

The details of completed projects are as follows: Cemetery River and tributaries, Radix Village, Mayaro; tributary to the Mahaut River, Food Crop Village, Union Village, Mayaro; tributary to the Mahaut River 50 kilometre, Mile End Village, Mayaro; tributary to the Mahaut River 53 to 54.5 kilometre, Union Villages, Mayaro; Kernaham River and tributaries, Kernaham Village off Manzanilla/Mayaro Road; La Savanne River, 15.5 kilometres, Newlands Village, Guayaguayare; Lagoon Doux River, 4.5 kilometres, St. Margaret's Village, Mayaro; Kernaham River, Cascadoux Village, Mayaro; Bel Air River, St. Margaret's Village, Naparima/Mayaro Road.

Phase two—as I said, some completed, some ongoing: tributary to the Mahaut River, Balata East Road, Bristol Village, Mayaro; tributary to the Ortoire River, 60.5 kilometre, Mafeking Village, Mayaro; tributary to the Ortoire River, 59.5 kilometre, Bristol Village, Mayaro; tributary to the Mahaut River, 58 to 59 kilometre, Bristol Village, Mayaro; Richardson Lagoon, 1.5 kilometres, Radix Village, Mayaro tributary to the Ortoire River, 2 kilometre, inner Mafeking Village, Mayaro.

In addition, a number of desilted projects are due to commence in the

Mayaro district, this is phase three, within the next two weeks.

Tributary to the Ortoire River, 61.5, Naparima/Mayaro Road; tributary to the Ortoire River, three kilometre, Corazan Road; Dorset River, 13.5 kilometres, Newlands Village, Guayaguayare; Ocean Sands drain to 87 kilometre, Manzanilla/Mayaro Road; sea outlets and lagoon mouths in Mayaro/Guayaguayare coastline; Popwell drain, 86 kilometre, Manzanilla Road, Mayaro, and the Sea Spray drain, 85.5 kilometre, Manzanilla/Mayaro Road.

Thank you.

**La Savanne Community Centre
(Update on)**

214. Mr. Rushton Paray (*Mayaro*) asked the hon. Minister of Community Development, Culture and the Arts:

Could the Minister provide an update on the proposed La Savanne Community Centre, New Lands Guayaguayare inclusive of the expected construction commencement date?

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Madam Speaker, the Ministry of Community Development, Culture and the Arts has engaged the services of UDeCOTT as the project manager for the construction of community centres. At present over 60 community centres, including La Savanne, have been approved for construction.

The Ministry of Community Development, Culture and the Arts is systematically scheduling the construction of centres based on need and available funding. While a commencement date cannot be given for La Savanne specifically, it has at this time been placed on the Ministry's priority listing. Thank you, Madam Speaker.

**Mayaro Public Library
(Status of)**

UNREVISED

215. Mr. Rushton Paray (*Mayaro*) asked the hon. Minister of Communications:

Could the Minister provide an update on the status of the construction of the Mayaro Public Library?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, the information provided by NALIS is as follows: The Mayaro Public Library is 95 per cent complete; however, the history is as follows: It has been built through two major construction contract awards. The Mayaro library project was first awarded to SWACO Construction Limited on September 20, 2011, at a cost of \$19.1 million. The contract took the form of a short form of FIDIC, 1999. The initial contract was a design/build package, which was commenced on 14th of November, 2011.

The contract was terminated in 2014 for non-performance. Subsequently, the following companies were retained for the respective consultancy services: architectural consultants Cord Limited was awarded a contract on the 5th of December, 2014, at a cost of \$465,800. Engineering consultant was RM Engineering Limited, awarded a contract on the same date, 5th of December, 2014, at a cost of \$670,950.40.

On September 30, 2014, Southern Exploration and Production Company Limited was awarded a new contract to complete the work on the Mayaro library at a cost of \$15,478,280.40 plus VAT, as per the condition of contracts for construction Multilateral Development Bank, Harmonised Edition, 2005.

2.15 p.m.

The second construction contract was however, terminated with effect on February 07, 2019. The total cost to date of construction under both contracts is \$33,342,646.74. That is how much it has cost the taxpayers to date. A new contract

for completion is therefore necessary, and it is now being estimated that the cost to complete that last 5 per cent will be \$6.8 million. Upon completion, the Mayaro Public Library will be a two-storied high pre-engineered structure with secured car parking, access lifts for the differently abled, specialized library and information areas. The ground floor has been re-purposed for rental accommodation, and the first floor for the public library services.

Madam Speaker: Member for Naparima.

**Trinidad and Tobago Fire Service Complaints
(Measures Taken to Address)**

224. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of National Security:

Given complaints by Second Division Officers of the Trinidad and Tobago Fire Services regarding dilapidated office space and the non-functioning and short supply of equipment, could the Minister state the measures being taken to address these complaints?

Madam Speaker: Minister of National Security.

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you, Madam Speaker. Madam Speaker, in order to improve and upgrade the physical condition of accommodation for the Trinidad and Tobago Fire Service, the Ministry of National Security has embarked on a programme of refurbishment of all fire stations across Trinidad and Tobago, starting with the Fire Service Headquarters on Wrightson Road. Additionally, the Trinidad and Tobago Fire Service and the Ministry of National Security have been working assiduously towards repairing non-functioning equipment, as well as purchasing new equipment as required. What I can say this afternoon, Madam Speaker, through you, is that I intend to set up a committee with the First Division officers, Second Division officers and the

Ministry of National Security to prioritize the areas that the Fire Service would like us to work with, with the limited amount of funds that we have available, to ensure that the firemen and women get what they need in accordance with their priorities.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Is the Minister aware of complaints by the—statements by the President of the Second Division officers of the TTFS, on Radio, Power 102 to be exact, indicating that there are non-functioning appliances at a not inconsiderable number of fire stations, and that they are there mainly for decoration?

Madam Speaker: I will not allow that. That is the exact question restated in another way. Supplemental, Member for Naparima.

Mr. Charles: Is the Minister aware that there has been no upgrade to the Princes Town Fire Station for the past 40 years even though the catchment area has grown by over 700 per cent?

Madam Speaker: Minister of National Security.

Hon. S. Young: Madam Speaker, I am not taking for a moment, what has fallen from the lips of the Member for Naparima as any gospel truth or even any gospel whatsoever. I will make the necessary enquiries of the Fire Service and it is their word that I will rely on. Thank you.

Mr. Charles: Why has it taken the Ministry so long to understand that there is a problem in the Fire Service in terms of the dilapidated equipment, et cetera, and the need to address it?

Madam Speaker: Minister of National Security.

Hon. S. Young: Thank you, Madam Speaker. I would like to remind the population that in times when there was oil at \$100 a barrel, those on the other side were spending \$6.9 million in removing fire tenders that had gone over into drains. That is how they spent the money. They also then attempted to build a fire station,

the Member for Mayaro can attest to this. They could not even keep the signage up in the air when opening the station. They provided no equipment for the station, whatsoever. So Madam Speaker, if we as an administration had the type of monetary resources that those on the other side had between 2010 and 2015, I can assure the population we would have done a lot more for the Fire Service of Trinidad and Tobago. [*Desk Thumping*]

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Minister, do you not have any shame that you continue all this time to blame the—

Madam Speaker: Member for Naparima, Member for Naparima. Member for Naparima, next question.

Gender-Based Violence (Measures Being Taken)

225. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of National Security:

Given that 23 women were murdered from January to April 2019 in comparison to 17 murders for the same period in 2018, could the Minister state the measures being taken to address the issue of gender-based violence?

Madam Speaker: Minister of National Security.

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much. Well, we know you have no shame. You can tell us about 111 in Tobago Plantations.

Madam Speaker: Minister of National Security, I would like you—I will just remind you to address your answers here, do not be distracted. Please, address your answers here.

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, I was just telling the population about shame on the other side. Thank you. [*Crosstalk*] 225.

Madam Speaker: Minister of National Security, let us not walk back down the road of shame. We have dealt with shame, let us deal with the people's business.

Hon. S. Young: We did in September 2015. Thank you very much, Madam Speaker. Madam Speaker, the statistics referred to in question are not consistent. So once again we have, coming from the Member for Naparima, a blatant naked attempt at misleading the population of Trinidad and Tobago. I will repeat, once again, we have from the Member for Naparima a blatant naked attempt to mislead the population of Trinidad and Tobago. The statistics that he has based his question on are false, and are not consistent with the actual figures recorded by the Trinidad and Tobago Police Service. The Trinidad and Tobago Police Service has however, implemented the following initiatives to address the issue of gender-based violence. You all are aware of gender-based violence, eh.

Collaboration with community-based organisations to educate persons on how to deal with—Glenn Ramadharsingh, deal with gender-based violence. A domestic violence procedure—Chandresh Sharma—under Standing Order No. 53, whereby all reports of gender-based violence receive the necessary attention—Anil Roberts—and a domestic violence investigative and procedural manual for police officers in Trinidad and Tobago. Thank you very much, Madam Speaker.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Once again, Madam Speaker, once again Madam Speaker, you have not given—[*Crosstalk*]

Madam Speaker: Member for Naparima, you are allowed to ask a question. You have 15 seconds to ask a question. Unfortunately, you do not get to make a

statement. Proceed.

Mr. Charles: Minister, what are the correct figures for the murders of women during the period? And is it not embarrassing to the Ministry of National Security?

Madam Speaker: So, I will allow one question. I allow one question, the first question. The numbers, Minister, if you have them.

Hon. S. Young: Thank you very much, Madam Speaker. Yes, we do, we do have the correct figures as provided by the Trinidad and Tobago Police Service. I am sure they were aware the Member would come here to try and mislead the population as usual.

Hon. Member: You are taking too long.

Hon. S. Young: Madam Speaker, the correct figures, unlike those provided by the mis-leader from Naparima are: A total of 18 women were murdered during the period January to April 2018, of which 10 were domestic violence related, and a total of 20 women were murdered in the period January to April 2019, of which five were domestic violence related. Madam Speaker, those on this side do not make the issue of domestic violence against women or violence against women a political football, as those on the other side are prone to do.

Madam Speaker: Supplemental, Member for Naparima.

Mr. Charles: Do you have any confidence, Minister, that the measures you are taking will result in a reduction in murders against women?

Madam Speaker: Minister of National Security.

Hon. S. Young: Madam Speaker, I have a lot of confidence in the Trinidad and Tobago Police Service, and the men and women in the Trinidad and Police Service, and those in the police service who are doing their utmost best despite the constant attacks by the Member for Naparima, on their service and what they are doing for Trinidad and Tobago. I stand here today as the Minister of National

Security, and tell the men and women in the Trinidad and Tobago Police Service, we the Government are working with them, unlike the Member for Naparima who constantly attacks the men and women in the Trinidad and Tobago Police Service.

Madam Speaker: Supplemental.

Mr. Charles: I note your concern for the—[*Crosstalk*]

Madam Speaker: I am on my legs. I am sure everybody sitting here recognized that the Speaker presides and chairs, so I will rule when I am required to. Member for Naparima, you are entitled to ask a question.

Mr. Charles: Thank you, Madam Speaker. Are you, Minister, providing the resources to ensure that the TTPS can deal with this issue?

Madam Speaker: I am not going to allow that question. I think it was in the original question about the measures. You are entitled to another supplemental if you wish, Naparima. Member for Naparima.

**Trinidad and Tobago Embassy in Caracas, Venezuela
(Recall of Staff)**

226. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Foreign and Caricom Affairs:

Could the Minister provide the reasons for the recall of staff at the Trinidad and Tobago Embassy in Caracas, Venezuela in early 2019?

Madam Speaker: Minister of Foreign and Caricom Affairs.

The Minister of Foreign and Caricom Affairs and Minister in the Ministry of National Security (Sen. The Hon. Dennis Moses): Madam Speaker, the situation in Venezuela is one that warrants close and continuous monitoring to ensure proper and ongoing management of the relations between Trinidad and Tobago and that country. Among the options open to the Government in this circumstance, is to engage in face to face consultation with the staff of the Trinidad and Tobago Embassy in Caracas, and to facilitate other undertakings pertinent to the

functioning of staff in a foreign capital. It is a practice of foreign ministries to avail themselves of this option when the situation dictates, and when the issues to be addressed are of particular concern to a government of a sovereign state.

Madam Speaker, given the ongoing issues in Venezuela, it was deemed necessary to undertake such consultations with staff of the Trinidad and Tobago Embassy in Venezuela. Significantly, Madam Speaker, it gave the Ministry the opportunity to address concerns relating to the security and well-being of staff and their families. Thank you.

Madam Speaker: Member for Couva South.

**Water and Sewerage Authority
(Criteria Used to Distribute Water)**

227. Mr. Rudranath Indarsingh (*Couva South*) asked the hon. Minister of Public Utilities:

Given that United Nations General Assembly Resolution 64/292 recognizes the human right to safe and clean drinking water and sanitation, could the Minister indicate the criteria used by the Water and Sewerage Authority to distribute water on an equitable basis throughout this country?

Madam Speaker: Minister of Public Utilities.

The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte): Madam Speaker, it should be noted that based on the data provided by the RIC where the present Government assumed office in September 2015, no more than 50 per cent of the population was in receipt of 24/7 water supply of pipe borne water. We are working assiduously to improve that situation.

Madam Speaker, WASA faces many challenges, inter alia, the aged pipeline network infrastructure resulted in a high incidence of leaks, and non-revenue water, insufficient storage, and excess demand for water, which in Trinidad and Tobago is twice the international standards. As a result, there is a supply deficit,

and differentials in the level of service are experienced by the population with respect to pipe borne portable water distribution. Given this reality, pipe borne water supply schedules are developed to distribute available water in an equitable manner. Such distributions are determined by a number of factors including: the source of supply, the seasonal weather impact, the proximity of customers to the source of supply, transmission capabilities from the source to the area of demand and the capacity, the condition of the distribution network, and other interconnectivity issues.

It should be noted also that the scheduled supply is augmented by truck borne water on request to customers in good standings. We need as a country to adopt a holistic and a cost effective approach in confronting the water challenges facing us. To this end we have taken a number of initiatives involving the following: increasing the use of WASA in-house team on a regional basis to detect and repair leaks; acquiring equipment, backhoes, compressors, dump trucks, et cetera; to extend budget constraints, allow to better resources and resource the leak repair programme; well development, rehabilitation of existing wells and the drilling of new wells; strategic pipeline replacement of high leaking mains throughout the country; construction of storage reservoirs; facility upgrades booster stations, installation of pumps; community work improvement projects to extend the network and improve the supply at the extremities; demand management involving awareness campaigns to educate the population about the need for water conservation; improvement in WASA's customer service and the completion of an amnesty programme to bring illegal connections formally onto the system.

2.30 p.m.

Madam Speaker, the Government is committed to provide the population

with safe, reliable and adequate supply of pipe borne water. In this regard, we will continue to implement measures to improve the distribution of water to all segments of our population throughout the country in the shortest possible time.

[Desk thumping]

Madam Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: Thank you, Madam Speaker. Minister, in spite of all that you have said, why are the constituents of Couva South, especially Indian Trial, Basta Hall, Mc Bean, Balmain, still continuing to suffer for a consistent, or what we would call, “reliable water supply” in spite of all of the nonsense that you have said here today. *[Desk thumping]*

Madam Speaker: Minister of Public Utilities.

Sen. The Hon. R. Le Hunte: *[Crosstalk]* Madam Speaker, you know I have gone to great pains to explain the challenges that we face in WASA. The reality of what is being said, and I would take some time just to put on the record. You know, when you look at the amount, the areas in south, WASA has an area of north and an area of south/central Trinidad and Tobago and there will be areas whereby you have a supply of water that not everyone gets 24/7 basis of water. But when you look at the areas you will realize that in the south only 15 per cent; in the south *[Crosstalk]* only 15 per cent of the population—

Madam Speaker: Member for Couva South, I would like to hear the response of the Minister of Public Utilities in the event you do not wish to, but I would like to hear it. Minister of Public Utilities.

Sen. The Hon. R. Le Hunte: Yes, you know, facts are very stubborn things, because I have been hearing this *[Continuous crosstalk]* whole idea of preferential treatment but I want to put the facts—

Madam Speaker: Member for Couva South, Member for Couva South, I would

caution you once again. While I understand the passion, because it may be your constituents, I am sure that your constituents want to hear the response. Minister of Public Utilities.

Sen. The Hon. R. Le Hunte: Yes, Madam Speaker, based on the information provided by WASA there is only 15 per cent of the population in the south; 15 per cent of the population in south receives water less than three days a week. When you compare that to the north-west where 50 per cent of the population in the north-west receives water less than three days a week and when you compare that to the north-east where you have 25 per cent of the population, we recognize that, yes, we do have challenges in certain parts of Trinidad and Tobago, that is a reality because a lot of the country we do not have 24/7 water. That is a situation in which we inherited. What I could say is that the areas in south Trinidad [*Crosstalk*] and central; central and south Trinidad they have a much better service of water than the areas in north-west Trinidad and Tobago. And we are working, because we are serving all of Trinidad and Tobago, we are working assiduously to ensure that we improve the water supply of 24/7 to all the citizens of Trinidad and Tobago. [*Desk thumping*]

Madam Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: Mr. Minister, you continue to tell this House about a high—

Madam Speaker: Question.

Mr. Indarsingh:—amount of leaks. How much leaks have you been able to detect and how many leaks have WASA been able to deal with in a very timely manner?

Madam Speaker: I am not going to allow that as a supplemental question.

Member for Couva South. [*Crosstalk*] Member for Couva South! [*Continuous crosstalk*] I take it you are vacating the questions that are on the Paper.

Mr. Indarsingh: No, Madam Speaker. I am being disturbed by San Fernando East, the party to which he belongs to did not know the constituency Manic Ramsaran represented. [*Desk thumping*]

**TTPS Organised Crime and Intelligence Unit
(Status of)**

228. Mr. Rudranath Indarsingh (*Couva South*) asked the hon. Minister of National Security:

Could the Minister provide the current status of the Organised Crime and Intelligence Unit of the Trinidad and Tobago Police Service?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, according to information received from the Commissioner of Police, the Organised Crime and Intelligence Unit, the OCIU, is active and continues to operate within the Trinidad and Tobago Police Service. Currently the unit comprises 118 officers and in addition to its core duties and responsibilities it continues to provide officers for duty at both the Piarco and ANR Robinson International Airport.

Madam Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: So just for the record, Mr. Minister, the said unit was not disbanded after the raid on dancehall artiste Buju Banton's hotel room.

Madam Speaker: The Minister of National Security.

Hon. S. Young: As I just said a short while ago, Madam Speaker, the OCIU remains active and continues to operate within the Trinidad and Tobago Police Service.

**Venezuelan Gang Evande
(Details of)**

229. Mr. Rudranath Indarsingh (*Couva South*) asked the hon. Minister of National Security:

Given recent reports that the Venezuelan gang Evande had infiltrated our borders, could the Minister state:

- a) the current number of gang members in Trinidad and Tobago; and
- b) the measures being taken to address this problem?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, with respect to reports that the Venezuelan Evande gang had infiltrated Trinidad and Tobago's borders, intelligence officials of the Ministry of National Security have informed that the leader of the Evande was killed along with several other gang members on the 29th of March, 2019 in El Caimán, Tucupita, Venezuela.

The Trinidad and Tobago Police Service has advised that it is unable to ascertain how many members of the Evande gang, if any, are within Trinidad and Tobago's borders. There are currently five Venezuelans males who are in the custody of the Trinidad and Tobago Police Service who are suspected of being members of gangs and it is my intention to deport them.

With respect to (b) of your question, with respect to measures being taken to address any problems of Venezuelan gang members infiltrating the borders of this country, the various intelligence units of national security continue to conduct intelligence operations that assist patrols engage in border management. Additionally, local Interpol is working closely with Interpol in Caracas with a view of identifying the members of the notorious Evande gang and others. The Trinidad and Tobago Police Service is working along with the intelligence agency to gather information on gangs with a view to disrupting their activities and arresting and

charging those engaged in criminal activity.

Madam Speaker: Supplemental, Member for Couva South.

Mr. Indarsingh: So, Minister, given the current amnesty and registration exercise that is currently in progress, that data that is being collected is being verified with Interpol in Venezuela and beyond Venezuela?

Madam Speaker: Minister of National Security.

Hon. S. Young: Thank you very much, Madam Speaker. Madam Speaker, as we have stated on a number of previous occasions, the registration process is a gathering of data, including biometric data, including fingerprints and photographs. That data is then being utilized with not only Interpol but other international intelligence agencies for us to do a due diligence and verification exercise.

JOINT SELECT COMMITTEE REPORT

(Presentation)

Land and Physical Infrastructure Public Transportation Service Corporation

Mr. Rushton Paray (*Mayaro*): Thank you, Madam Speaker. Madam Speaker, I have the honour to present:

Seventh Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the Public Transportation Service Corporation with specific focus on the Public Bus Service and Maintenance of Buses.

PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE REPORTS

(Presentation)

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

Export Centres Company Limited

Seventeenth Report of the Public Accounts (Enterprises) Committee into the Examination of the Audited Financial Statements of the Export Centres Company Limited for the financial years 2008 to 2011.

Cocoa Development Company of Trinidad and Tobago Limited

Nineteenth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of Cocoa Development Company of Trinidad and Tobago Limited for the financial years 2014 to 2016.

Trinidad and Tobago Free Zones Company Limited

Twenty-First Report of the Public Accounts (Enterprises) Committee into the Examination of the Audited Financial Statements of the Trinidad and Tobago Free Zones Company Limited for the financial years 2012 to 2017.

**JOINT SELECT COMMITTEE REPORTS
(Presentation)**

National Statistical Institute of Trinidad and Tobago Bill, 2018

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

Thank you very kindly, Madam Speaker. Madam Speaker, I have the honour to present:

Second Interim Report on the Joint Select Committee to consider and report on the National Statistical Institute of Trinidad and Tobago Bill, 2018.

Thank you, Madam Speaker.

Mutual Administrative Assistance in Tax Matters Bill, 2018

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. I have the honour to present:

Second Interim Report of the Joint Select Committee appointed to consider and report on the Mutual Administrative Assistance in Tax Matters Bill,

2018, the Tax Information Exchange Agreements Bill, 2018 and the Income Tax (Amdt.) Bill, 2019 in the Fourth Session of the Eleventh Parliament.

**MISCELLANEOUS PROVISIONS (LAW ENFORCEMENT OFFICERS)
BILL, 2019**

Bill to amend the Criminal Law Act, Chap.10:04, the Prisons Act, Chap. 13:01, the Police Service Act, Chap. 15:01, the Immigration Act, Chap. 18:01, the Fire Service Act, Chap. 35:50 and the Customs Act, Chap. 78:01 [*The Minister of National Security*]; read the first time.

**MISCELLANEOUS PROVISIONS (FINANCIAL INSTITUTIONS,
SECURITIES AND INSURANCE) BILL, 2019**

Bill to amend the Financial Institutions Act, Chap 79:09, the Securities Act, Chap. 83:02 and the Insurance Act, No. 4 of 2018 [*The Minister of Finance*]; read the first time.

Motion made: That the next stage be taken on Monday, June 10, 2019. [*Hon. C. Imbert*]

Dr. Moonilal: But that is unfair.

Question put.

Dr. Moonilal: Division.

The House divided: Ayes 19 Noes 14

AYES

Robinson-Regis, Hon. C.

Imbert, Hon. C.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Garcia, Hon. A.

Crichlow-Cockburn, Hon. C.

Forde, E.

Dillon, Hon. Maj. Gen. E.

Webster-Roy, Hon. A.

Francis, Hon. Dr. L.

Jennings-Smith, Mrs. G.

Antoine, Brig. Gen. A.

Leonce, A.

Smith, D.

Cuffie, M.

Al-Rawi, Hon. F.

Olivierre, Ms. N.

NOES

Lee, D.

Charles, R.

Rambachan, Dr. S.

Karim, F.

Moonilal, Dr. R.

Gopeesingh, Dr. T.

Gayadeen-Gopeesingh, Mrs. V.

Newallo-Hosein, Mrs. C.

Indarsingh, R.

Ramadhar, P.

Khan, Dr. F.

Bodoe, Dr. L.

Paray, R.

Ramdial, Ms. R.

Question agreed to. [Desk thumping]

Dr. Moonilal: This is our protest at this attempt to push down legislation down our throats.

Madam Speaker: Clerk.

**MISCELLANEOUS PROVISIONS (TAX AMNESTY, PENSIONS,
FREEDOM OF INFORMATION, NATIONAL INSURANCE, CENTRAL
BANK AND NON-PROFIT ORGANISATIONS) BILL, 2019**

Bill to provide for a tax amnesty in relation to certain revenue laws and to amend the Retiring Allowances (Legislative Service) Act, Chap. 2:03; the President's Emoluments Act, Chap. 2:50; the Prime Minister's Pensions Act, Chap. 2:51; the Judges Salaries and Pensions Act, Chap. 6:02; the Freedom of Information Act, Chap. 22:02; the National Insurance Act, Chap. 32:02; the Central Bank Act, Chap. 79:02; and the Non-Profit Organisations Act, 2019 (Act No. 7 of 2019) [*The Minister of Finance*]; read the first time.

Motion made: That the next stage be taken on Monday, June 10, 2019. [*Hon. C. Imbert*]

Question put.

Mrs. Robinson-Regis: Division.

The House divided: Ayes 19 Noes 14

AYES

Robinson-Regis, Hon. C.

Al-Rawi, Hon. F.

Imbert, Hon. C.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Garcia, Hon. A.

Crichlow-Cockburn, Hon. C.

Forde, E.

Dillon, Hon. Maj. Gen. E.

Webster-Roy, Hon. Mrs. A.

Francis, Hon. Dr. L.

Jennings-Smith, Hon. G.

Olivierre, Ms. N.

Antoine, Brig. Gen. A.

Leonce, A.

Smith, D.

Cuffie, M.

NOES

Lee, D.

Charles, R.

Rambachan, Dr. S.

Karim, F.

Moonilal, Dr. R.

Gopeesingh, Dr. T.

Gayadeen-Gopeesingh, Mrs. V.

Newallo-Hosein, Mrs. C.

Indarsingh, R.

Ramadhar, P.

Khan, Dr. F.

Bodoe, Dr. L.

Paray, R.

Ramdial, Ms. R.

Question agreed to.

JOINT SELECT COMMITTEES

(Extension of Time)

National Statistical Institute of Trinidad and Tobago Bill, 2018

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

Thank you, Madam Speaker. Madam Speaker, having regard to the Second Interim Report of the Joint Select Committee appointed to consider and report on the National Statistical Institute of Trinidad and Tobago Bill, 2018, I beg to move that the committee be allowed an extension to complete its work and submit a final report by September 27, 2019. Thank you very much, Madam Speaker.

Question put and agreed to.

Mutual Administrative Assistance in Tax Matters Bill, 2018

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

Thank you, Madam Speaker. Madam Speaker, having regard to the Second Interim Report of the Joint Select Committee appointed to consider and report on the Mutual Administrative Assistance in Tax Matters Bill, 2018, the Tax Information Exchange Agreements Bill, 2018 and the Income Tax (Amdt.) Bill, 2019, I beg to move that the committee be allowed an extension to complete its work and submit a final report by September 27, 2019. Thank you, Madam Speaker.

Question put and agreed to.

PRIVATE SECURITY INDUSTRY BILL, 2019

Order for second reading read.

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Madam Speaker, I beg to move:

That a Bill to establish the Private Security Service Authority and to regulate the private security industry and for other related matters, be now read a second time.

Madam Speaker, the overriding motif and rationale for the introduction of this Private Security Industry Bill, 2019, is to solve long-standing problems associated with the private security industry in this country. We have been dealing with this matter for the past three years and it has now ripened and it for these and other reasons that I am most pleased to present this Bill for the consideration of this honourable House.

The Government of the Republic of Trinidad and Tobago is no stranger to the issue of regulation of the private security industry. For as early as 1991, 28 years ago, the then Minister of Justice and National Security clearly identified the need to have appropriate regulations promulgated to control the operations of such agencies. Today, we begin the debate on this long outstanding and awaited process of solving these problems by proposing here worthwhile and meaningful legislative solutions. The Bill seeks to establish the Private Security Service Authority to regulate the affairs of the industry and to be a single point of oversight for same.

Madam Speaker, the development of the security industry could be traced from its very humble beginnings, beginning with the passage and implementation of the Supplemental Police Act of 1906. This Act was implemented to govern the conduct of the rural and estate constabulary as it then was at that time, primarily involved in the oil and sugar industry. There was an expansion in industrial activity in the 1960s and in an attempt to meet with the increasing demand for security in the industrial and commercial sector this legislation came into being.

The history evolved to the present day which easily demonstrates that as a

result of the rapid growth in the industry some firms have found skilful ways to avoid and bypass the restrictions of the Supplemental Police Act, the current governing legislation by using the simple maneuver of not seeking or applying for precepts as that Act provides. Un-precepted security officers do not fall within the purview of the Act, so the mechanism where the Commissioner of Police has a supervisory function to command and superintend, under section 5 of that Act, is now effectively circumvented.

The last estimates we saw at the Ministry of National Security reveals that there are about 268 private security firms which involves some 50,000 or so private security officers. There are however an unknown amount working in the industry that are unregistered and therefore unsupervised in addition to the un-precepted as I explained a moment. At present there are approximately 17,000 uniformed personnel in the state security apparatus. This includes about 7,880 regular police officers and about 2,965 special reserve police officers both full time and part time. These figures alone show that there are obviously greater numbers of private security personnel than there are State security personnel in that sense.

This is not new to the world, it is part of a trend and let me give three examples of this: In China, 65 per cent of their security apparatus is private and 35 state or police officers; in the United States 58 per cent private, 42 police officers; in Canada 58 per cent private, 42 per cent state or police officers.

Madam Speaker, today and for a long time, our world and our society, that is, Trinidad and Tobago is faced with alarming rates of crime. According to a 2017 report of the Inter-American Development Bank, herein after called the IDB, captioned the cost of crime and violence, new evidence and insights into Latin America and the Caribbean. It is quoted as saying, Trinidad and Tobago has spent more money on crime than any other country in the Caribbean or Latin American

region but continued to face and I now paraphrase, “severe challenges”. These include, Madam Speaker, low detection rates, low conviction rates, high rates of homicides, inordinate delays in the criminal justice system, public alarm and fear gripping the society almost sometimes to the point of immobility.

Madam Speaker, homicides involving firearms have reached 72.6 per cent in Trinidad and Tobago, which is the third highest in the region after the Bahamas and Jamaica. Firearms, Madam Speaker, their possession and use are very pervasive in Trinidad and Tobago, the Caribbean, the United States and many other places in the world.

Further, the report cited that the percentage of businesses that spend money on security is possibly the highest in the region. This Government recognizes the need for a holistic legislative platform put quickly in place from which to march steadily along in a bid to train up and permit the private security industry to work more systematically with the state security apparatus for the benefit of all for the people of Trinidad and Tobago, especially given their larger numbers. This industry has grown exponentially both in the scope and nature of the type of work they conduct and the number of operators in the theatre.

At present, the management and regulation of the industry as I explained earlier is virtually non-existent. Madam Speaker, the current unmanaged and unregulated state of private security industry has even contributed in some case significantly to the crime rate in Trinidad and Tobago as the issues in private security are no longer issues as they were in 1906. And in those bygone days of deplorable working conditions exploitation and diminutive compensation packages and such like, but there remains serious issues of untrained, ill-equipped, unsupervised personnel, some of whom have criminal backgrounds and who now purport to protect our citizens and property while using their positions, in fact, to

harm them and to terrorize them.

3.00 p.m.

We need this legislation which will set standards for an authoritative body, employment law observations, performance standards, training and certification of employees, equipment issued, licensing, uniforms, and the like. A recent editorial in the *Daily Express* newspaper dated May 10, 2019, inter alia says as follows, and I quote:

“It is plainly unsatisfactory to tolerate security businesses that are casual about acceptable employment practices, provision of training and certification, proper and safe equipment, insensitive to women’s needs, and not answerable for public complaints. The new bill...”

And this editorial—let me break stride for a moment—this editorial was issued after we laid the Bill in this Parliament at that time. And I continue in quotation:

“The new bill, worthy of support by all in Parliament...”

Let me repeat that:

“The new bill, worthy of support by all in Parliament, will set rules and standards for the security sector, and provide for sanctions against violators. Seeing all that is to be rectified, the question at once prompted is: what took the authorities so long?”

Today, Madam Speaker, we provide an answer to that burning question, 28 years later. There is a definite need to establish a comprehensive and all-encompassing framework in order to effectively regulate this industry, and also to harness this sector, so that it could make a meaningful contribution to the State’s efforts to combat crime and disorder—which is not just creeping, but coming in at us like a tsunami, Madam Speaker—for the general peace and security of the nation.

I have a personal experience where this is useful. About five or so years

ago, I drove along Independence Square South and encountered a woman in distress who reported to me that she was now the subject of a sexual offence right there at about 4.30 p.m. on that Brian Lara Promenade on Independence Square. In my public spiritedness, and with my police background, I shot into action, and I decided as she pointed him out to me, to effect a citizen's arrest. I pursued the gentleman and he ran up Chacon Street. I pursued him briskly, Madam Speaker. I noticed as I was doing that, I was joined by a citizen. He was neatly attired, well cut, looking beautiful as I do, and he assisted me in finding—even with my beautiful dreadlocks—[*Desk thumping*]*—*he assisted me in finding that man at the corner, because the man ran up Chacon Street, across Queen Street, down Frederick Street, and we caught him on Independence Square, again, opposite the FCB where he was trying to get into his motor car. It turned out from my conversation with this citizen that he was a private security officer. And I want even today, five years later, to congratulate that citizen. We arrested him. [*Desk thumping*] I immediately called the police, they came on the scene in a flash, and he was taken to police headquarters, and the rest is history.

It is an example of how the private security officer could assist law enforcement and even private citizens like me, in dealing with problems as they arise around us. Madam Speaker, it is to be noted that this important Bill, which the *Express*, speaking on behalf—I presume—of all of the citizens of Trinidad and Tobago, commends as belated and necessary. It would require a special majority. Because a couple of its provisions touch and concern and affect a couple items in our Constitution.

Dr. Moonilal: It requires the UNC support.

Hon. F. Hinds: As my friend from Oropouche has just said across the floor, it requires the support of the UNC. Reckless and irresponsible as they can be.

[*Crosstalk*] Madam Speaker—

Hon. Member: Standing Order 48—

Hon. F. Hinds: Madam Speaker, tell them take it easy. “Doh be so thin skinned.”

Mr. Lee: Madam Speaker—[*Crosstalk*]

Madam Speaker: Member for Pointe-a-Pierre, I believe you wish to raise a Standing Order?

Mr. Lee: Yes, Madam Speaker, 48(4) and (6), Madam Speaker.

Madam Speaker: Okay, so Member for Laventille West, I uphold the objection. I would ask you to withdraw that, and I am sure in your eloquence you can find another way to say what you would like to say. [*Crosstalk*]

Hon. F. Hinds: Madam Speaker, I promptly withdraw, but I must say—not on that matter—I must say that the truth bears down heavily upon me. [*Laughter*]
Madam Speaker, it does require the support of my colleagues in this House, many of us. It affects, Madam Speaker, as I was indicating, the right of the individual to liberty. This right is affected by clauses 49 and 59 of this Bill, which empowers a security officer and a peace enforcement officer respectively to detain a person whom he suspects is engaged in unlawful activity, or who is committing an arrestable offence in his presence.

This power is akin to the power of a police officer in that very limited way, and codifies, Madam Speaker, the power of every citizen, as it relates to an arrestable offence. And I gave you an example of that with the private security officer that I spoke about. So, it is nothing too troublesome and burdensome for my friends to easily digest.

Madam Speaker, it also affects the right of the individual to the enjoyment of property, in the sense that clauses 28, 29, 49 and 59 of this Bill empower an inspector, an office holder established under this law, a security officer, and a

peace enforcement officer at clause 49 of the Bill, to seize articles which he believes is being used, or maybe being used, in connection with an indictable offence, or any other article which may be inherently illegal, example dangerous drugs. And this is a simple issue for my friends to conceptualize as well. If a firm is established, and is an operator in accordance with this law, and they are authorized to hold 50 firearms, and an inspector finds 51 firearms, that firearm can be seized—notwithstanding that it is the property of someone else—under this provision, and it is for that reason that the support of the other side in a constitutional majority would be necessary.

The right of the individual to respect for private and family life. This right would be affected by clauses 28 and 29, which allow an inspector to require medical records of security officers, and special security officers, such records being ordinarily private.

This Bill aims to create a regulatory body with the power to license the operators of security firms, inclusive of the individuals in their employ, and to make secondary legislation to regulate its affairs, as it considers useful. It is intended that this new body, Madam Speaker, would essentially adopt the present functions of the Commissioner of Police, under section 5 of the Supplemental Police Act, Chap. 15:02, namely that of command and superintendence over the entire private security industry, and amendment to the Supplemental Police Act will also be necessary, so as to reconcile the change and shift in powers, from one entity to the next.

This Act of course, Madam Speaker, will remain—the Supplemental Police Act—will remain in place to administer the existing supplemental police officers, who will remain within the ambit of the State, as distinct from the private security industry. All others will be deemed private and subject to regulation under this

new regime, as proposed in these measures in this Bill.

In addition, Madam Speaker, the authority established under this Bill, albeit initially funded by the State, will become self-sustaining as its operational cost would be funded by, and from licensing fees paid to it, by companies and officers operating within the industry going forward. So, they will get some start-up moneys, and like in England, like in Jamaica, like in Canada, like in South Africa, like in New Zealand where this exists, it will become self-sufficient and self-funding. A regulatory body to manage the private security industry is by no means new. Indeed, it is the preferred method in several nations, some of whom I have just explained.

Let me break stride just to say, I attended a homeland security programme last year or earlier this year it might have—no last year—in the United States, and in the course of that, we had state and private security officers sharing their experiences and their expertise with us. And I would learn a lot about what is happening with private security in Israel, and it was at that forum that I discovered that the concepts, the rudiments, of the homeland security concept came out of Israel, because of the situation Israel finds itself in. That is to say, Madam Speaker, Israel is surrounded by forces hostile to it. For good or bad reason, I do not know, that is not the issue that I am dealing with here today. I am dealing exclusively with their security arrangements.

And Israel has a very vibrant private security platform, very vibrant. And what I would discover there is that the private security officers in Israel are trained along the same lines as a soldier and a police in Israel, operators of the State. In fact, they told us that the same firearms, the same training routine that a police officer will undertake the private security industry trains their private security officers similarly. And therefore, along with what they call “the single fighter

model”, when a private security officer is encountered with a threat in the course of his work, or a threat to his estate, or a threat to people in his view, and in his area of work, then so trained he is, so prepared he is, so patriotic he is to defend the State, so attired with communications equipment, he is set out to neutralize that threat. He would not, like some security officers in other places—perhaps including Trinidad and Tobago—would run away from the scene, screaming and expose the children of the school, or the nurses in the hospital, or the people in their private offices on the ninth, or tenth, or fourteenth floor, to danger, but this well-trained private security operator will respond accordingly.

So much so, as I move on from that, that was shortly after there was a terrorist event in the United States where a man—a home-grown terrorist, an American—took several rifles, and many rounds of ammunition, went into a hotel and fired on people at a concert in a stadium. I think he took out about 57 or 67 of them. In such a situation, the Israelis told us that could hardly happen in Israel, because in the private security world, in that hotel, even if it was when he stopped to change the magazine, or to change weapon, the threat would have been neutralized, Madam Speaker.

So, Madam Speaker, it is quite possible, by way of the example I have just given you, for private security elements to be sufficiently trained up, so that they could make a serious contribution to the national security efforts of a country. This is partly what this Bill is all about.

A regulatory, Madam Speaker—we are in Trinidad and Tobago having spoken about what I just told you, we have seen, I, these eyes have seen a private security firm in Trinidad and Tobago behave like that. Sadly, it no longer exists, but back in 1984, the Royal Bank of Canada as it then was established a security outfit. I had just left the police service, and I left the police service as a Drill and

Weapon Training Instructor, so I knew a trained man when I saw him. I knew what he was supposed to look like. The concepts were very clear. You know, people eat first with their eyes. When you look at the posture, you know that was something, not just a uniform. It had something inside of it.

3.15 p.m.

So, Madam Speaker, when this security outfit hit the road at all the branches around Trinidad and Tobago, even those of us in the police service marvelled at them. You could see. And when we made enquiries, it was founded by a man called Mr. Eric Anthony Thompson. He migrated to Canada. He joined the Mounted Police of Canada, you know that detective called—what are they called?

Mr. Deyalsingh: RCMP.

Hon. F. Hinds: RCMP. The Royal Canadian Mounted Police, yes, top level investigators, and he served there as an undercover officer, this Trinidadian called Eric Thompson. He was travelling home, I think, in 1982 and sat next to a certain Mr. Herbert Alleyne, a Trinidadian, and they had conversation. Out of that conversation, the story is told, that the idea of this security firm for the Royal Bank came up. And so it went on.

On February the 4th, 1984, the first batch of these estate police officers came out. They studied criminal law, laws of evidence, police duties, arrest, search and seizure, industrial security, arms and ammunition, first aid, self-defence, drill and physical training and banking security. Following their theoretical training, firearm training was done by an instructor from the Police Training College. On April the 2nd, 1984, the officers were stationed at the various branches, and that is what we saw.

During the coup in 1990, I am told—I was not here. I was in England. But I was told that during the coup in 1990 these officers volunteered service to this

country. They went to police stations and so respected and worthwhile they were, they were allowed to do certain duties and allowed the regular police to do other duties outside. That is commendable, even as a matter of history. [*Desk thumping*] And as I look at the training they undergo, I will tell you this, Madam Speaker, this is very similar to the training that we offered to recruits in the Police Training College. No wonder why they were as astute as they were. And these officers of that outfit really acquitted themselves and for years no criminal fraternity tackled them in any of the banks until one event many years later, which was the only blemish, I think, and one of them lost their life. There was some breakdown, perhaps inside information, I am told; perhaps, I do not know.

Madam Speaker, this is the standard that we can aim to for our private security forces in Trinidad, and this legislation is designed to bring about just that. This legislation provides for measures in the following key aspects: One, the creation of an Appeal Tribunal and Council which would hear appeals from decisions made by the Private Security Service Authority which will govern the industry. So if there are any issues or there are grievances or disputes coming out of decisions made from the Authority, an Appeals Tribunal, or Council, is established to hear appeals under this law. It provides for the establishment of a licensing regime which will serve to authorize the operations of various private security firms within the industry and, very importantly, to monitor them and to ensure that they are keeping these standards and operating in accordance with them and the law.

It also provides for certification of individuals within the industry according to a tiered system. This structure would recognize the varying skill levels of security work as set out in Part VIII of the Bill. The situation as it currently exists now allows anyone from a Caricom country to set up a security firm under the free

movement of services provisions guaranteed by the Caricom arrangements. In the present state of industry self-regulation, such a situation opens individuals in this country to various forms of exploitation, and with professional certification it would become easier to track the movement and guarantee the status and compatibility of those standards in other parts of Caricom to our standards for security personnel and across the region. This law will provide for the establishment of certification agencies which would operate in tandem with determined licensing criteria as set out.

Establishment of a standard of training. Well, I have alluded to that before where the same standard would be used at varying accredited universities and/or tertiary education institutions so as to ensure that each individual security officer is not only properly certified but also properly trained and would, therefore, have both the requisite knowledge and skill to be in a position to effectively protect persons and property. And, Madam Speaker, recently I attended a symposium led by Caricom IMPACS, an organization dealing with security on behalf and within Caricom, and I was more than pleased because there was a representative of the CSEC, the Caribbean Examinations Council, present, and he informed the gathering that they are designing—

Hon. Member: CXC.

Hon. F. Hinds: CXC, I am so sorry. They are designing a CXC course, for examination of course, along the lines of private security and in their view, wisely and properly so, opening up the scope for students even at that level, for those who might be inclined to pursue that kind of way of life or career. So I thought that was very refreshing coming out of Caricom and I am looking forward to it, because this can broaden opportunities for our young people, of course, they being very close to the heart of the Government of the Republic of Trinidad and Tobago.

Establishment of a standard of training is critical, therefore, conferring powers upon the Authority similar to that of the Commissioner of Police with regard to command and superintendence to the regulatory body over the entire private security industry. Establishment of sanctions for breaches of the law, breaches of the rules. Establishment of a mandatory pension and health care schemes for persons employed within the industry as essential conditions for obtaining a licence to operate, together with maternity leave and part-time work schemes for working mothers and women in general. This will greatly ease the level of pressure placed on women who join the industry mostly because they choose, or have little other options. Madam Speaker, this is critical as many more women have come into the industry as the statistics show, and have taken up positions therein. It would be a great benefit to all of us as a society if they were respected in the industry, treated fairly and motivated so that they would not be afflicted or take away from their womanhood and their motherhood. I have sat in my constituency office on a weekly basis, like all of my colleagues in this House, and young people, including young women, come to the office and they are asking for some assistance in finding employment. And I have become aware, in some areas, where employment opportunities would exist, or exists, in the security field and in eight of the 10 cases these young women, some who are, of course, mothers with children, obviously, they are unable to take up those jobs because of the responsibility of taking care of children, particularly when they are single mothers.

I recall, first of all, when I returned to Trinidad in 1994—because when I left here in '87, I did not see too many females around the place doing security work. But when I returned to Trinidad in 1994, I went to a drugstore in Petit Bourg and I saw a lady in there with a firearm and it struck me. It worried me too, at that time. Today I do not feel that worried because you see them all over taking their place

and they do a great job. Even in the state security apparatus they have done very well in the police, in the coastguard, in the army; they are pilots. They do everything in armies and police organizations and prison services all over the world. They are doing particularly well. But at that time it startled me.

So, Madam Speaker, I am simply saying, if we would find the formula through this and these measures and the regulations to look after the circumstances of women in a particular kind of way, we will be able to have the benefit of their service in the industry and it will not affect their lives as women, and I think this is commendable, Madam Speaker, [*Desk thumping*] I think worthwhile and that is what we are also wanting to achieve.

Madam Speaker, the question of regulation of minimum pay levels—because there have been issues about under-payment and exploitation in the industry, particularly when persons who are not citizens of Trinidad and Tobago get into the picture, perhaps some of them are even here illegally. And this is why the registration process that is now being undertaken through my friend, the Minister of National Security, the Ministry of National Security, on the good, sound policy of the Government of Trinidad and Tobago, is so apposite because we have a situation where there are many persons who are not so able and authorized to work, not even authorized to be here, they are in this industry and that yields all kinds of problems, including issues of pay and so on. So in the registration process we are doing now you would notice that we insist that as a condition for it all, they must enjoy the full protection of the laws of Trinidad and Tobago, in particular the labour laws. They must not be exploited. So this is very critical.

And, Madam Speaker, formulation of a procedure for public complaints: As I indicated earlier, the end user, that person who hires the security firm to look

after their business or their home when they are leaving for a vacation for three weeks, that person places a lot of trust in that security firm and those officers, and sometimes things do not always go the way they should in this life. And we are establishing under this law, a facility for the end user in those circumstances to be able to lodge complaints to the Authority, and if they are dissatisfied, complaints could be made to the Appeals Tribunal, all with a view of ensuring that those who operate within the sector, confine themselves to the law and act as state officers do, as state officers should, as state officers must, in the best public interest. [*Desk thumping*]

This Bill provides for penalties where there are breaches of the law, on security operators, on individuals categorized and classified as they are, within the purview of this Bill, and it creates a grace period for existing firms. Because the question must, and will be asked: When you establish this regime, what about those firms that are already in the atmosphere, already on the platform, already on deck? And this Bill creates a grace period of one year so as to give existing firms an opportunity to come up to speed with the new and modern expectations, requirements and dictates as established in this Bill. It is common sense; it is good sense, and it provides for that. And, of course, it also provides for regulations. Because, as we know, as parliamentarians, and as the people in the society must understand, when you pass law, you have regulations that go with it, and we will prepare—this Authority will have the responsibility to prepare regulations for the industry. We cannot be sure what those would be at this stage, but they will be expected; they will be empowered to provide regulations, and as the public must understand, regulations are like the grease or the oil that oils the wheels of the law to ensure that it works seamlessly and there would be no creaking and cranking and work like the UNC, but it works like the People's National Movement. [*Desk*

thumping] Nice. I could not resist that. Any objection, Madam Speaker?

Madam Speaker, so these and more are what these measures are all about, as I indicated at the top of my discourse, all with a view of bringing the private security operators, greater in number than the State, up to a certain standard and level, bringing a bridge between the State and the private sector, because with 50,000, just by way of example, you have 100,000 more eyes, 100,000 more legs, 100,000 more hands and 50,000 more heads in order to deal with the issues facing Trinidad and Tobago, of which we are all a part. Even private security firms have suffered loss at the hands of criminals. They have had issues where people break into their headquarters and steal firearms. We have had issues where private security officers break the law; use firearms improperly. We have had it all. And this Bill is designed to bring relief in those ways, and it does require the support of my friends on the other side, and from the look on their faces I have a suspicion we will have it.

Madam Speaker, I am pleased to advise that in the formulation of this Bill the Government looked at our regional and international counterparts. In fact, Madam Speaker, when I took the responsibility, along with my colleagues in the Cabinet, to develop this legislation for presentation and consideration here today, we first—we began—we looked at the United Kingdom and we saw they had an authority, an agency, which regulates their private industry. We invited their director to come to Trinidad. He came. He had a one—or I think a two-day symposium with stakeholders in the industry and with those of us in the Ministry and other interested persons, and he explained the way the law works in England and what they do. We had the full benefit of that.

Going forward, as we began refining our draft—in fact, we met a draft, if I am not mistaken, a crude draft, [*Crosstalk*] and we—because I told you, this has

been around for a while. Nobody must stake any claim. For 28 years it languished. Today we are bringing it to fruition. [*Desk thumping*] It has ripened, and we are bringing it today. [*Interruption*] We “doh” want to hear that.

So, Madam Speaker, we consulted with them and through the finalization of this for presentation here, we worked very closely with the agency in the UK. But we did not stop there. We looked at the laws of other countries. We internationalized our scope, our perspective, to bring international best practice to bear. And, of course, we looked at Jamaica right here in the region, that since, I think, 19—well, recently—I think since 1992, they established a private security industry agency along the lines that we are proposing now.

So, Madam Speaker, we participated, as I think I alluded to earlier, in the multi-stakeholder workshop on enhancing the regulation, oversight and governance of the private security industry in the Caribbean region which was held between February the 4th and 5th, 2019, right here in Port of Spain, which was hosted by the Caricom Implementation Agency for Crime and Security which is IMPACS. In addition, we are liaising with the Geneva Centre for the Democratic Control of the Armed Forces, so called DCAF, which is a body that assists partner states in developing laws, institutions, policies and practices to improve the governance of their security sector—private security sector—through inclusive and participatory reforms based on the international norms and good practices. That agency, DCAF, the Democratic Control of Armed Forces, they established in 2008 a so-called Montreux document, and this is as a result of a joint initiative with Switzerland and the International Committee of the Red Cross.

It is now supported by 55 states, including many in Latin America and the Americas region, and three international organizations: European Union, NATO and the Organization for Security and Cooperation of Europe. This includes six

states as I said in the Americas region: Canada, Chile, Costa Rica, Ecuador, Uruguay and the United States of America. And by liaising with them, we have been assured of the benefit of their advice and their expertise to bring international perspectives and best practice to this. So when we are through with this, it should really be the holistic resolution to all the problems we have and those that we foresee in respect of the private security industry.

So, Madam Speaker, in closing, I would like to underscore that this Bill is intended to ensure the safety and security of the people of Trinidad and Tobago, and given that it is the primary duty of every state to place security as one of its highest priorities, this Bill is, among many other things we are doing focused on that. The rise of insecurity has led to more and more people turning to private security industries to ensure their personal safety, that of their families and their property. And it is for this reason—because these are—it is the first time the House is considering this and there are some issues, Madam Speaker, that I propose to take this Bill—in fact, I propose that this Bill be taken to a joint select committee of the Parliament in order to ensure that it has received from all my colleagues in this House a wholesome and a fulsome scrutiny and review in the privacy, and in the less combative environment of a joint select committee, for review in order that we proceed further with the parliamentary process of enactment of this law.

Madam Speaker, with that said, I therefore beg to move. [*Desk thumping*]

Question proposed.

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

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker. Madam Speaker, before I begin, let me indicate that I was slightly taken aback by the last statement of the Member for Laventille West who, in his last breath, told us

that it was the intention of the Government to take the matter to the joint select committee, and did so to pre-empt what would have been a heated debate. Some of us would have preferred to vote today, but if that is the desire of the Government, it is understood, and it would be most helpful to deal with some of these matters at a joint select committee.

Madam Speaker, I was also taken aback that the Member for Laventille West was chosen by the caucus and the Government to pilot this Bill before us today, since, according to the Bill in the definitional area, the Minister with responsibility for this matter, as identified in the Bill, is, indeed, the Minister of National Security. The Member for Port of Spain North/St. Ann's West would be overly busy with matters all over Trinidad and Tobago and the world, but I am sure that the Member for Toco/Sangre Grande who has served with great distinction in the Ministry of National Security and the Minister of Foreign and Caricom Affairs, I think is also a very eloquent Minister in the Ministry of National Security—they could have also piloted the Bill. But the Member for Laventille West got, as we say in Trinidad, a 10-days, and he did enjoy his stay at the crease, piloting this Bill.

Madam Speaker, the Private Security Industry Bill legislation and regulations is a matter that has been before us for many, many years. In fact, Madam Speaker, as we put the marker on time go by, I want to remind colleagues that it is a matter that engaged the Parliament early in the 1990s in the aftermath of the attempted coup in Trinidad and Tobago. It was a former Minister of National Security, I believe it was Russell Huggins, Minister of National Security, in an administration that included the Member for Diego Martin North/East as a more peripheral Member, but he was there. Russell Huggins, Minister, was the Minister who took up this matter of the private security industry, and, indeed, drafted legislation.

Madam Speaker, a former minister as well, Kenneth Collis—and today we talk a lot of history, you know, sadly, because of the earlier statements. But Kenneth Collis was a Minister of Labour who also looked at a minimum wage order that dealt with the security industry. It was left to a UNC administration under both Basdeo Panday and the very distinguished Member for Siparia, who actually brought the most help to the workers in this sector [*Desk thumping*] by the introduction of a minimum wage. And the UNC, Madam Speaker, not once, not twice, but on three occasions, increased the minimum wage to help the sector, [*Desk thumping*] to help over 10,000 workers in this sector. So, Madam Speaker, the Member for Laventille West, I knew if he had time, he would have heaped praise on the Basdeo Panday administration [*Desk thumping*] and the administration of Kamla Persad-Bissessar. The person we know him to be, he would have no difficulty praising the UNC for its good work in lifting the plight of workers in this sector.

Madam Speaker, I want quickly to point to a publication. It was a publication of 1998, a very hefty presentation here—a book, all 376 pages, and an important chapter that dealt with labour relations in the private security industry. This was a book presented to the Parliament. It is in the Parliament library: “To the Library Parliament, with compliments, Roodal Moonilal”—[*Desk thumping*] as he then was—“January 1999.” Madam Speaker, 20 years ago I indeed wrote about the private security industry, and I will quote some—Madam Speaker, my modesty will prevent me from extensive quotations from my own book. But, Madam Speaker, it was one of my several—it was one of several articles I wrote on the private security industry, myself and a colleague from Zimbabwe, Nangatee, who also wrote on labour relations in the private security industry.

Because, Madam Speaker, this is an industry that traces its origin to colonial

days when you had the establishment of the estate constabulary that came out of colonial production, whether it was in the oil industry, sugar industry. But manned guarding actually predates the middle age in case people do not know; that manned guarding predated the Middle Ages. But in modern contemporary history we trace the origin to our colonial experiences. We also trace the origin of the private security industry to the massive amount of industrial restructuring in the '80s, when, given the global recession and so on, many companies went into liquidation, extensive retrenchment, redeployment of staff, and so on, and you had places, for example, like BWIA, like the Port and other places that downsized.

Many workers who were in the estate police went off on their own and created security companies. In industrial restructuring, Madam Speaker, a lot of the international, the multi-nationals, and in Trinidad and Tobago, the conglomerates, so to speak, they also established security companies to protect their own; their own businesses, their subsidiaries, and so on, and this thing grew and grew. But by the early '90s and the mid-'90s we accepted that this was one of the growth poles in terms of employment generation. But as it generates employment—thousands of people work in the private security industry—it was also at the low wage, low skill level. So while it was employment—10,000 people more or less—it was low wage, it was low skill and what we call the sweat labour sector of extensive exploitation. And not only of women, which we will come to, but it was exploitation of young people, of the illiterate, of the uneducated. It was an area where business persons, and so on, for better or worse I say it, Madam Speaker but we have the evidence. In around 1995 the Ministry of Labour had invited security officers to write in to the Ministry and give examples of, you know, their conditions of work. And, Madam Speaker, I had the benefit of the box of data because the Ministry of Labour at that time had supported my work in this area,

and the Ministry of Labour made available that package of material.

And, Madam Speaker, we can quote in a little bit, of the sector and the kind of problems that this sector had, and continue to have in terms of exploitation, in terms of gender exploitation, in terms of wages, in terms of conditions of work. There was a famous article written by a colleague of mine, I believe somewhere in Asia, in which in writing on the private security industry he said even the dogs are better off because the dogs in the private security industry were getting liver and meat to eat. You know, when a shift changed and the dogs had to stay for the second shift, they got liver and all types of meats and the security officer was getting bread and cheese. And the article was: even the dogs are better off. Madam Speaker, this is a sector that is defined by that type of problem. But it is also defined by a lack of regulation, a lack of organization, and so it was all commendable for every government to try to regulate that sector.

3.45 p.m.

But I make the point, Madam Speaker, early o'clock, that regulation is not control and control is not regulation. Because one of the points being raised by several critics of the present Bill—and there are critical comments of the Bill—is that this seeks to control and not to regulate the sector and we will get examples in a few moments.

So, Madam Speaker, the objective is laudable. It is an objective that started in the 90s with Russell Huggins, came into the UNC with the UNC Ministers, came after with the Manning administrations and so on and took up well by the People's Partnership and the Member for Laventille West, in moving smoothly along, mentioned in passing that there was some work being done. Incidentally, the work was being done and led by the current Commissioner of Police and former Minister of National Security, the honourable Gary Griffith. And in

January 05, 2015, Mr. Griffith as Minister of National Security engaged in the consultations. A report on those consultations came to us in the Cabinet and so on and we read, of course, the concerns of stakeholders.

So, Madam Speaker, it is an industry where everyone in Trinidad and Tobago is a stakeholder because this Bill encourages, at some point, people to, ordinary persons to give their views, write in complaints because the security guard—you know, long time, “watchman”—he or she now interfaces with ordinary citizens. You could be the biggest person in Trinidad and Tobago, when you drive in—St. Joseph, when you drive in with that Mustang Sport and you go into car park, it is a private security guard that you will confront. [*Crosstalk*] What? Laventille West, when you drive in with those big vehicles and so on that you use, it is a private security guard that you confront. So when you confront that guard, that officer, you are concerned with several issues: training, professionalization, terms and conditions of work, et cetera, et cetera.

The Minister also took an approach which we recognize, raising issues in piloting but never root those issues in the Bill. So my colleague from Naparima came quietly to me and whispered, he says, “Roody, what is he talking about? Because I am not seeing the gender issue he raised in the Bill, I am not seeing pension. I am not seeing those issues”. [*Desk thumping*] And, Madam Speaker, when I took my third reading of this Bill last evening and early into this morning, I also did not see it. So I am wondering whether the Bill may have changed from the time the Minister prepared his well-worded address as opposed to what we are seeing today before us.

Madam Speaker, this Bill was laid in the House in and around May 6th this year. Today is June 7th, that is one month more or less and we must commend the Government for laying the Bill one month before and then debating one month

after important legislation unlike what they propose to do with other matters, [*Desk thumping*] unlike, and giving two days for important matters to be considered. Madam Speaker, let us get to the Bill.

Madam Speaker, there are several issues that we would raise notwithstanding you are going to the Joint Select Committee and so on. Madam Speaker, there are fundamental concerns. While this Bill is a welcomed Bill—every Government worked on it—there are issues that we must put on record early o'clock. You know, there is another issue in this sector called vetting, vetting and fines. There is a traditional system called fining, and “fining” means you pay a fine. So companies will have lists of breaches, of rules, of codes and so one, and one of the greatest area for exploitation is fining. Immediate short-term suspension. You see, Madam Speaker, this came from colonial days and it is in the security sector which, as much as we talk, may not have the cultural development in tune with modern principles of management, transparency, accountability, scrutiny. It is still the boss man comes down on the ground floor, look at you with “ah bull face” and ask you, you know, “Why yuh shoes not shining? Get out and go home and come back tomorrow”. There is still that type of culture. It is that labour management relations of master and servant, slavery/indentureship that finds itself in this area.

Madam Speaker, the Government proposes a Bill here before us that would seek to deal with some of the issues but not all and I want to flag early, as I said, the issue of vetting, the issue of fining. You know, a major issue in this area too, Madam Speaker, because of the nature? Companies and private security could be a one-man operation; it could be a small company of three to 10 workers; it could be medium-sized scale organization of 20 workers to 200 and it could be large-scaled of 3,500 people in a private security company, as we do have in

Trinidad and Tobago now. So the scale changes. It is a complex area. You have sole, you have medium, small, large, and so on. But, Madam Speaker, you have some commonalities in term of issues of vetting, problems with fining, exploitation, control, regulation. Madam Speaker, the sector has other peculiarities which regulations should and ought to address.

But what is the Government's approach? There is a fundamental issue I raise to begin with. Their approach is create an authority. So you have the Environmental Management Authority, you have other authorities as well, corporations. But they seek to establish an authority for overriding control and regulation and control of the sector. Madam Speaker, I just go quickly to Part II, six, seven items there and I have had the benefit of reading critical comments by members of the stakeholder community and if you are going to regulate a sector that is, strictly speaking, not a government sector, it is private sector. This is not government workers. You are not regulating, you know, persons in the army, the coastguard, the police. It is a private sector area. People establish private security companies to make private profits. Nobody establishes a private security company because they love you, they want to protect the country, they want to solve crime. All of those things, they will come in, but they want to make profit and it is a profit-driven area of the private sector. Because the Minister touched and there is greater need for clarification. One person had asked me. This is not repealing and replacing the supplemental Police Act. This is another piece of legislation to deal with the private sector. The supplemental Police Act, with its challenges remains, will deal with state estate constables. Are we clear on that now? So this will complement that.

So, Madam Speaker, the question will arise: Why should the Chairman and Deputy of this authority be attorneys-at-law in the first place? What is it with

having a Chairman and a Deputy Chairman of a private sector area appointed by the Judicial and Legal Service Commission? “Where that come from?” And why should they necessarily be lawyers? [*Desk thumping*] The Environmental Management Authority which deals with a lot of law, global environmental law and so on, a professor could head that, an engineer, a businessman. But this requires two lawyers for Chairman and Deputy Chairman. Why should that be so in the first place?

When you look at the composition of the authority:

“(b) the Commissioner...”

—or a representative of a certain rank. That is fine, you could understand that.

“(c) a representative of the Ministry with responsibility for labour;”

Well, Madam Speaker, immediately, given my 20 years in this industry, why do we not have representatives from the trade union sector, the worker sector, sitting on an area that is known for exploitation of labour? [*Desk thumping*] The Ministry of Labour is an arm of the Government but the trade union movement should find themselves here because in the next breath, they say:

“(d) a representative from the business sector...”—but—“not associated with the private security industry...”

That has problems too. So you want a business person who do not know nothing about the private security industry.

Mr. Hinds: Not who do not know nothing, not associated.

Dr. R. Moonilal: Not associated, fine, but they must have some knowledge of the sector or some interest otherwise “why we put them there in the first place”? But I understand the issue of conflict of interest, it is being dealt with later. Madam Speaker, so I am calling immediately that it is not the Ministry of Labour or the Ministry of Labour alone that should find a place on this authority assuming you

keep the authority, but we have not conceded that but someone from the trade union sector that understands labour relations and exploitation issues there. And, Madam Speaker:

“(e) four other persons, suitably qualified...”

Whatever “suitably qualified” means, we take that.

“...knowledge...in...the...private security...”

So you have nine persons on a board that is appointed by the President and President means Cabinet. So the Cabinet is appointing a board to oversee a major profit-making sector of the private sector. And, Madam Speaker, we believe that the composition should reflect the nominees of the business community of the labour sector, Madam Speaker, certainly the Commissioner of Police and persons with some familiarity with the sector. Because, Madam Speaker, this is the Cabinet, when you use “the President” here, not in his or her discretion, this is the Cabinet going to appoint. Madam Speaker, they continue normal things of setting up boards and so on. Those matters you can deal with at a joint select committee. I just want to go on to some of the headline issues.

Madam Speaker, the composition of that, it spells out at No. 13, “Functions and powers” of the board, it is essentially, Madam Speaker, when you study this, to make provisions, to cater for the licensing of officers, the licensing of operators and what they are calling now “proprietary security organization”. So we have now some hybrid terms or some terms found elsewhere that comes into our lexicon, comes into our legislative language: Propriety private security organization as opposed to private security operator. You have here “close protection officer”, that sounding like “ah bodyguard but is ah nice way to say it”. Madam Speaker, you have a peace officer, a “peace enforcement officer”. Now, that “sounding like” something but, again, you have a sense of what that might be

and there is a third one, of course, private security and private investigators and so on.

But, Madam Speaker, these definitions and identifying these people require greater discussion and greater clarity in terms of what really are we dealing with when we talk about close protection, when we talk about the other one, “peace enforcement officer”. The “peace enforcement officer”, according to this, Madam Speaker:

- “(a) to prevent individuals from entering premises or to eject individuals...
- (b) to guide or cordon off...”

I imagine “dais to pull ah rope” or something somewhere and prevent people from coming in. Madam Speaker, it is to provide this regime for licensing and so on and there are still several issues associated with that which would have us uncomfortable at first glance. The authority also has an interesting point here: To:

- “(l) appoint a committee to hear and determine complaints from the public in relation to private security industry;”

And register all the licensees and the persons and so on.

Now, Madam Speaker, while nobody can dispute that we need to put some framework in place to deal with security guards and so on, what is absent from this Bill—and the Minister will clarify whenever—is that while we are talking all of this about professionalizing the area and regularizing that sector, there is no reference in this Bill to minimum qualifications to become a security officer. It is 18 years and over and not being convicted of an indictable offence. That is all. So we talk about the professionalization of a sector that deals with technology, that deals with, you know, the latest in security management policies and so on but there are no qualifications spelt out here, unlike for police and elsewhere. So should we not be saying that security officers should really have three O level

subjects or four, whatever, some academic training in information technology because we have to lift the bar, so to speak?

Dr. Gopeesingh: Admission criteria.

Dr. R. Moonilal: So an admission criteria. It does not speak of this at all. And it says giving the security officer a licence. Now that process of licensing is cumbersome, it is bureaucratic, it is unworkable, it is impractical. It is a good idea. It is a good idea but it cannot work as spelt out here and in a joint select committee I am sure we will go through that and we can it make it workable. But you simply cannot take 10,000 people and proclaim one day and say everybody apply for licence and we have to issue a licence to 10,000 people in a few months. I mean this is a country where people have on the port—three months you have a container on the port and you cannot clear it for business. You will get 10,000 people licensed in three months, Madam Speaker, and drug testing and doing all these things? The authority keeping permanent records of persons, drug testing and so on, that has serious implications as well. Madam Speaker, this creates a fund and I do not want to spend too much time on that.

Madam Speaker, the issue I want to get to is this creation of a person called the inspector. Inspector is a term known in policing, “is ah rank” that is well established and known, but you are going to appoint inspectors to essentially go into every place of work, every company, headquarters or office and say, “I am Inspector, I want to see your books, I want to see if you are complying with the Act”. What qualifies you as inspector, pray tell, Madam Speaker? You have an identification batch, Madam Speaker. You inspect the security officers but again, you have the powers here, but what are the qualifications of an inspector that you calling inspector? What are the qualifications? Again, I looked in the Bill and I have not seen it. So you call somebody an inspector and that inspector can conduct

random inspections at the operations of a security company—well, they do not use company here, they use security operator—for the purpose of monitoring compliance with the Act, the guidelines, the standards.

Madam Speaker, you show your badge, you go on. You can require the production of a licence, you can inspect any licence, conduct examinations, make copies of documents, they have to surrender documents, you can examine articles. You go to the Magistrates' Court if you find articles. But, Madam Speaker, as much as I search, I am not seeing any qualifications for this inspector, and surely, given this power that you are going to give, an inspector must have some type of experience, qualifications, either in the police or in the Defence Force or something like that. It cannot be that you take people who are 18 years and over and have not been convicted of an indictable offence and they are called an inspector. And regulations should be made which should be stated in the legislation. Because this inspector goes and he visits the place and then three days he has to submit a report to the authority and so on. So it is an inspectorate of some kind. But if you look at health inspectors, you look at inspectors associated with the EMA, even with the Integrity Commission and so on, they are qualified in some way, and this is a very serious matter because of the powers of these inspectors, because they go on to the premises of a private company and ask for records, ask for the report on drug testing.

Now, Madam Speaker, in this sector, as I said before, is a low-wage sector, low skill. Persons may have failed a drug test, not because they are on the illicit drugs that we think but they could be on other drugs related to disease, [*Desk thumping*] and then the identity of those persons who may have a disease, you know, comes out in a report that goes to an authority that is appointed by the Cabinet. So these are serious matters to concern ourselves with apart from the

practical issue of whether it can work. Because the inspector must recommend corrective action where he sees any breach of an Act, and on that recommendation, Madam Speaker, you know this inspector has some power to submit a report of non-compliance and the authority can proceed to suspend or revoke a licence for the operator. Madam Speaker, this is a small society. We have many security companies. By now, I believe we have over 500 security companies, we may have 10,000 workers. When you appoint inspectors and so on, one has to be careful that they are not connected in any way, past or present, with an established security company or a network that undermines this process. [*Desk thumping*]

Madam Speaker, there is a role, of course, for national security here in terms of the criteria for issuance of operator's licence and so on. Now this is a serious matter. The authority must grant licences. They are granting a licence to an operator to operate and then every three years, I believe you have to renew this licence as if there is a process. How would a businessman invest millions of dollars in a security company and every three years, he is at the mercy of an authority whether he will be renewed, whether his licence to operate will be renewed after three years? That clearly cannot be the intention. So it must be that you mean that every three years, you will just be granted almost automatically an extension or another licence or a renewal, but you cannot be doing that on the basis of anything where persons are then scared. This Bill, as presently worded, is anti-business, [*Desk thumping*] it does not understand the business of private security company. [*Crosstalk*]

Madam Speaker, and the Member for Laventille West has stumbled on a good point. Every year, the lawyers will apply for the Law Association and they will get their one-year paper and so, but that is a matter of some ritual, unless there is some matter before the disciplinary committee or you have been charged or

arrested or convicted or something. That is not a matter where you wait and you cannot proceed, you know, you are going for renewal. It must be an automatic process. In fact, like law, medicine and so on, it must be some process where you just give them another licence for the next three years unless there is some matter before you. [*Crosstalk*] Madam Speaker, while that is correct in those professions, those are run-of-the-mill renewals. What they contemplate here is some type of assessment, some type of sanctions. [*Desk thumping*] This legislation was reported to me by a leading security director/manager as being harsh and oppressive. [*Desk thumping*]

And, Madam Speaker, the licence—they are putting here that your licence expires. The Member for Diego Martin North/East also plays a role in this Bill as Minister of Finance and he may contribute at some time if he remains quiet when I am speaking. [*Crosstalk*] Madam Speaker:

“...an operator’s licence shall be valid for three years.”

It is valid for three years and on three years, Madam Speaker, hear this:

“(2) Where a company is the holder of...”—this—“licence and wishes to apply for...”—it is called—“a new operator’s licence...”

It is not a renewal, it is a new operator’s licence. In September, lawyers go and apply for a new licence? Madam Speaker, it shall apply to the authority. Hear this eh. You:

“...apply to the Authority not less than ninety days and not more than one hundred and twenty days...”—before the three years expire.

So 500 firms or more going to apply 90 days before or not 120 days before for a new operator’s licence. First, delete that. It is “ah” run-of-the-mill renewal of a licence so it is not no new operator’s licence. And you have to do an operator’s licence—you know, this country had licence stickers on cars. When we were

growing up, there was a licence sticker and every year, you go and line up by the licensing division and you get ah sticker P, T, H and every year—Madam Speaker, I think it was the UNC administration that pelt that out. [*Desk thumping*]

Madam Speaker: Hon. Member for Oropouche East, your original time is now expired. You are entitled to 15 more minutes if you wish. Please proceed.

Dr. R. Moonilal: Thank you very much. Madam Speaker, in 1998, we threw away and abandoned and pelt out this one-year licence for a motor car because it was taking more money to issue licences than it was in you collecting the fees from licences. So you should immediately throw out this and issue an automatic renewal subject to any action that the authority may contemplate or any information.

Madam Speaker, let me proceed. The duties and conditions there, that is fine. A security officer, you know there 10 more or less—I keep saying more or less, 10,000 security officers and this is an industry as well that is driven by season. This is a seasonal industry. When Carnival comes around, Christmas and so on, there is a greater demand for security services, more people will work. When that season is finished, some people go back and “they cut grass or they do whatever they were doing before and they lay off and then they come”. So it is a seasonal sector and you have to now tell the authority everybody you hire. So supposed you hire somebody for three days because, like Ministers here, “they go Tobago for the Jazz Festival” and you have a grand Jazz Festival, the entire Cabinet is there from captain to crook—ah, captain to cook, and they are in Tobago so you need more security officers. Do you have to tell the authority that you hire 25 more men and women for the Tobago Jazz Festival? You have to report that?

They say here, Madam Speaker, the private security officers have to seek

their own licence unless it has changed in the Bill. If someone is a private security officer from Rio Claro working with a company in San Fernando— [*Crosstalk*] Madam Speaker, the Member for Laventille West is frothing at the mouth. [*Laughter*] It is not “ah” pretty sight but I will ask him to calm down. [*Laughter*] A security officer living in Mayaro working for a company in San Fernando needs to come to Port of Spain, maybe, to apply for a licence. But the company should be applying for licences for officers, not the officer. [*Desk thumping*] And the Bill says the person, the security person, he must apply for his licence.

And if there is any change in particulars. Now what “particulars” mean? We do not know, but if there is any change in particulars, he needs to inform the authority. So what is a particular? You get married? You get divorced? That is a change, I do not know, in particular. Now when you die or resign or retire, the security company has to inform the authority. But one thing they forgot. In this sector, given the nature of the sector, Madam Speaker, there is something called “abandonment of job”. Somebody will work three nights by the property of a Government Minister and the Minister is arrogant and rude and hoggish and “dey doh like the Minister” and so on, as we have heard. They will abandon that post. They will not show up again. [*Laughter*] They will not show up again because they believe that the Minister is uncouth and arrogant and they do not show up. So what? The security company needs to inform the authority that somebody disappeared for two weeks because of the Minister? Port of Spain North, “what yuh say about that?” [*Laughter and crosstalk*] Madam Speaker, so the particulars need to be clarified and you need to put in other issues there as well. [*Desk thumping*]

And, Madam Speaker, the Bill also presents some things about “affidavit of compliance”, “affidavit of commitment” and that type of thing. I do not know

where that is going but “it sound good”. “It sound good.” Madam Speaker, as I said before, material change with particulars, you need to inform the authority in writing and so on. Some of these security guards, with great respect, they are not really capable of advanced level writing and you are inviting them to write the authority in Port of Spain and indicate, you know, in writing change of particulars.

Madam Speaker:

“(7) A security service operator shall, on an annual basis, conduct a random drug test in respect of security officers and special security officers...”

Special security officers are people who work, I think, in like IT, you know, technology, electronic monitoring, you will call them special and so on. But, Madam Speaker, surely a company that hires 3,500 workers, on an annual basis, conduct a random drug test on 3,500 employees? This is madness. This must have been contemplated by someone who was not right in his head. [*Laughter*] This was contemplated by someone who may have himself or herself should have been the subject to some drug testing. [*Laughter*]

Madam Speaker, I want to put now the point here that what you should do is indicate that a percentage, whether it is 10 per cent, 20 per cent of the workforce every year should be randomly tested for drugs and it ought not to be, of course, the same 10 per cent every year, there is a way you can deal with that and create a solution to that problem. But you cannot tell a company with 3,500 workers go and randomly test everybody every year and give you the results eh. Give you the results, Madam Speaker. No, you want to know who have HIV/AIDS, who suffers from this disease, that disease, so you can victimize them at the place of work [*Desk thumping*] and workers have been known to be victimized on that issue. There are a lot of things in this Bill that is simply not practical. It has to do

timelines for doing things and so on.

But, Madam Speaker, one of the biggest issue here I raise is the qualifications for security officers but also a requirement in law. Should we not have used this time to put a requirement in law for training? Put in the legislation some type of training that is required? With the police, it is clear. Well the Minister is signalling that it may be in the regulations. That will come for negative passage and we prefer affirmative resolution so it can come to Parliament and be debated. [*Desk thumping*]

Madam Speaker, now they come to terms and conditions of work and some, what you call the employment-related benefits and so on. So you have to provide protective gear. Imagine the company has to provide protective gear, name tag, communication devices, of course, pens and pocket diaries. “Ah wonder if they giving the police pens and pocket diaries”? But the private security company has to give them that.

But you know, Madam Speaker, this is not the issue in this sector eh know. You know what is the issue in this sector? When people work two shifts and three shifts, “they doh even get ah bread and cheese”. They have to work up at odd times, unsocial hours, go out in the road, look for “ah” taxi that could be carrying two criminals in the back seat and go and go home for that. Madam Speaker, you should put here at this time certain requirements of the company to supply.

Mr. Hinds: Bread and cheese.

Dr. R. Moonilal: And you see, they are trivializing it because the Member for Laventille West is accustomed “wolfing down strimps”, you know, and guzzling champagne by Chaud Restaurant. Well, Madam Speaker, as I continue.

Mr. Hinds: Madam Speaker.

Dr. R. Moonilal: What is the Standing Order?

Mr. Hinds: 48(6). Madam Speaker, as a hard and strict vegetarian, that is insulting language and I take objection to it. [*Desk thumping and laughter*]

Dr. R. Moonilal: Madam Speaker, I withdraw the “strimps”.

Mr. Hinds: “I doh eat no shrimp.” [*Laughter and crosstalk*] That is insulting language.

Dr. R. Moonilal: Okay, Madam Speaker, I will withdraw the statement as—the Member for Laventille West.

4.15 p.m.

Madam Speaker: I am so happy for the relief. Okay? I am so happy for the relief, but let us get back to serious business.

Dr. R. Moonilal: The point we are making is that security officers need good treatment as Government Ministers do when they entertain themselves at Shaud, if “dat is de name ah de place”.

Hon. Members: Chaud.

Dr. R. Moonilal: Chaud, sorry; eating escargot. “Dah is de name of it?” Madam Speaker, that is what they do, and the workers will suffer. The workers will suffer because the workers will not even get basic commodities. “And dey working right dey protecting dem.” Madam Speaker, that is the disparity that you have to deal with in this sector.

Madam Speaker, so I am warning the Government today that you cannot conduct your life in a way where you enjoy the best, but for the thousands and thousands of security workers, you do not provide that they also should have reasonable conditions of work that allow them, when they work a double, sometimes a triple shift, that they have reasonable allowances; there is no issue here of allowances.

There is a next related issue, double time. When police officers work, of

course, they get double time or they get overtime, sorry, police officers. Madam Speaker, in this sector, when workers are employed and, for any reason somebody does not show up, you cannot abandon your post. Do you know what happens, Madam Speaker? They stay there for the same wage. Now, you can say well, it is private enterprise because the employer or the client is not paying overtime; the company will not pay you overtime. But it is something that legislation can address, in terms of that condition of work as well.

Madam Speaker, NIS is a major issue in this sector as well. Many of the small operators and fly-by-night operators we call them. Madam Speaker, do you know in this sector people become security managers and they have had matters before the court for misbehaviour, for obscene language, for shooting a gun, and they become security managers and state enterprises hire these security companies to guard essential buildings and installations?

Madam Speaker, there is an example right now in this country where a state company hired a security firm where persons involved in that firm, they are of interest to the police for a series of criminal matters, and so on. And state companies hire security companies with people like this, and then we cry when we hear people escape from the airport, and so on.

Madam Speaker, within recent times we have had headlines like these:
34 million cocaine bust.

Newsday, 07 May, 2018:

Two guards among five arrested at Piarco.

Three held in cocaine bust.

Fake security officer robs CAL of \$90,000.

Madam Speaker, this is Monday, December 10, 2018, in the *Newsday*.

Fake security.

Jamaican makes the easiest escape ever.

Madam Speaker, it was raised today.

Private airport security supervisor on cocaine charge.

CAL rehires losing security firm.

Madam Speaker, what I am suggesting to you is that the Bill did not speak to the issue of proper vetting of security managers themselves, and this must be dependent on intelligence from the Trinidad and Tobago Police Service or other areas of the Defence Force. Because if the police service indicate to you that they have a concern with person A and B managing a security company, and because of their familiarity with a Government Minister or familiarity with a Government official, let us say, they get the contract, Madam Speaker, and this is what we find happening in this sector.

NIS is a major area of exploitation. People are working in the sector and their employers are not deducting the NIS for the employees.

Dr. Gopeesingh: But they are deducting and not—

Dr. R. Moonilal: And they are deducting it, Madam Speaker, and they are putting it in their pocket.

Now, Madam Speaker, I want to make a blanket statement here on NIS. I believe the time has come to establish some new machinery between the Ministry of Social Development and Family Services and any other area of government that creates now a new machine to monitor the deduction and the payment into the National Insurance Board.

Madam Speaker, I read in the papers today, the Prime Minister indicated that Venezuelan workers will not pay NIS. But the Prime Minister cannot change the law. There is an act of Parliament dealing with payment of National Insurance when you work. The Prime Minister stand up and change the law, and it cannot be

done and this is a key area that the Bill should reflect.

Madam Speaker: I hope you have now completed that point.

Dr. R. Moonilal: Yes.

Madam Speaker: All right, fine. So, please continue.

Dr. R. Moonilal: So Madam Speaker, the Bill can deal with these matters of exploitation. The areas, key area in this sector, as I wind up, Madam Speaker, key area would be vetting. Key area would be training. Key area would be qualifications to become a security officer. Key area is to remove bureaucracy, so that you do not create something that we abandoned in the 1990s. Key area as well for attention. The NIS matter, I have raised that already, Madam Speaker.

Madam Speaker, private security companies are also doing something else and we do not know. Private security companies are also now buying on the international market, military equipment, spying equipment and other types of equipment that goes into private sector operators. Madam Speaker, I have learnt of a company in Trinidad and Tobago purchasing bulletproof vests, the most advanced bulletproof vests, and so on, in the United States of America. And they raised a red flag about that, because it is not the Government purchasing that. When those things come in the country, security companies must also be monitored in terms of their assets, their equipment. So, but we would like to see these matters spelt out in the law as well; that you can do inventory and monitor the assets, equipment, and technology and capability of private security industries, when they purchase military equipment on the international market.

Because, as technology grows increasingly, we will have technology-driven military equipment for even private security. It is not just drones flying around your head, and so on, Madam Speaker, there are sophisticated technology that, if it gets in the wrong hands, persons and organizations out there that are up to no good

can challenge the State and be up to mischief if this sector is not properly regulated.

The major concern I raise in closing is the excessive bureaucracy and the onerous nature of the Bill on the private security companies themselves.

Madam Speaker: Member for Oropouche East, your speaking time is up. Member for Naparima.

Mr. Rodney Charles (*Naparima*): Thank you very much. Thank you very much. Madam President, I must commend my colleague from Oropouche East for bringing to light some of the various things that are needed to ensure that this Bill is excellent and is worthy of a Parliament such as this.

Madam Speaker, I would like to commend what must be a laudable intent, must be. One gets the sense that it is well-intentioned. It is needed. But the question we ask is: What we have before us, in this Bill, can it deal with the plethora of problems that bedevil an industry and a sector?

And I am getting—maybe, it is in my old age—this sense that we are changing. We are changing this idea, growing the Government. Because without being cajoled they agreed that it should go to the Joint Select Committee, something that we support. And I could not believe my ears when I heard Laventille West extolling the virtues of the Joint Select Committee. It shows that he is capable of learning. He is capable of changing. There is hope.

Madam Speaker, we are looking at an industry, which, according to reports, there are 500 private security unregulated firms employing as many as 50,000 persons. So we are talking about a sector that it is significant and it is impactful on our economy and on our battle against crime. The facts indicate, and I am drawing from *Newsday* of the 14/09/2017. Only about 20 to 25 of these firms operate at an acceptable level of institutional capacity and with functional guidelines. So,

clearly we have a problem.

Because of the limited pool of men, the majority of the employees are women. The industry is over 90 per cent not unionized. And, therefore, we have a range of industrial relations practices, some of which are antediluvian, and some of which are worthy of changes. And in this Bill, I would have hoped that I would have seen some attempt made to deal with the unionization of workers, or some representation that would give them power vis-à-vis the operators or the firms. There is no standardized training that exists in the industry, it depends on the firm. There are no recognized performance standards. Most of the firms are owed millions of dollars by the State, and are therefore unable to pay good wages, supply proper support for staff, nor engage in long-term training.

Madam Speaker, the MTS, they made a presentation at the Public Accounts (Enterprises) Committee and one of the challenges that security firm spoke about was the fact that they had millions of dollars in receivables and that was affecting their capacity to survive.

In *Newsday*, Friday, 31 May, 2019, the Estate Police Association President Derrick Richardson, he said that executives of the union claim that the Government owed MTS in excess of \$275 million. So, Madam Speaker, the Government which boasts that the economy has turned around, when we look at their impact on a sector that serves the country well, it is not necessarily something that is a catalyst to the improvement of the industry.

Madam Speaker, the industry is characterized by security guards who come from the most disadvantaged sector of our community, and therefore, there is high turnover and any planning or any Bill that deals with that sector has to understand that even if you were to introduce a training component that, as you train someone, they leave and they migrate elsewhere in search of opportunities.

Madam Speaker, many female employees are single mothers, and I am saying all this to talk about the plethora of challenges and what this Bill ought to address, even if peripherally. Many of the female employees are single mothers, working very long hours with no facilities like properly run or economically affordable day care centres to fill the gap for these employees.

Now, if one looks at the Bill, the Private Security Industry Bill, 2019, only two sections and one Schedule deal with the necessities and the rights of the workers. When we look at Part II of the Bill, it talks about the Private Security Service Authority and they go on to talk about the establishment of the authority and the functions of the authority. Part III deals with the finance of the authority. Part IV deals with the staffing of the authority. Part V, inspectors who are working with the authority. Part VI, security service operators. Part VII, proprietary security organization and only when we get to Part VIII, we are talking about security officers, and Part IX, special security officers.

Madam Speaker, so the thrust of this legislation is, as my colleague spoke, about control and creating a mechanism that dictates, and, perhaps extends the powers of the Executive over a private sector industry that survives—if we study management—that private sector operates with risk and operates in a sector that does not survive exponentially and optimally in a question of great regulation. Madam Speaker, looking at the security officers, Part V places the burden of registration entirely on the security officer and not on the proprietary firm.

Madam Speaker, the characteristics of this Bill. It is skewed towards the establishment of the private security authority, I said it before, the security service operators, proprietary service organization and private security service and it has established a review council; and it is not concerned primarily with the 50,000 workers, mainly female, in the industry.

Madam Speaker, I refer to the, how do the Irish deal with this problem. We deal with it from, as my colleague said, a mechanism of control. They deal with a mechanism of enlightenment and improvement of the sector. Madam Speaker, I am reading from the Irish Private Security Services Sector Act of 2004, which seeks to regulate and not control the industry. Their focus is threefold. And this is the difference between that approach and this Bill.

- (a) Ensuring that security officers are licensed to perform the duties of security;

We have that, that aspect in this Bill.

- (b) Ensuring a regimen of training for persons seeking to qualify to work within the industry.

My colleague spoke about the qualifications for entry. I am speaking today about the training mechanism, what level of certified—

Madam Speaker: Member for Naparima, thank you. Hon. Members, it is now 4.30 p.m., we shall take the suspension now. We shall resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Deputy Speaker: Hon. Members, as we resume after tea, I will recognize the Member for Naparima. [*Desk thumping*]

Mr. R. Charles: Thank you.

Mr. Deputy Speaker: You have 22 minutes, 13 seconds of your initial time. Proceed.

Mr. R. Charles: Thank you very much, Mr. Deputy Speaker. When we adjourned, I was looking at clause 13(1) of the Bill and indicating that this clause reposit too much power in the hands of the authority, and, therefore, the approach of the Bill was control over, rather than collaboration, with the security firms.

When we look at 13(1) of the Bill:

“The functions of the Authority are to—

- (a) establish Guidelines for the purposes of this Act;
- (b) establish Standards for the purposes of this Act;
- (c) regulate the private security industry and ensure compliance with this Act...;
- (d) annually review the licensing regime;”

And the question came about whether it was automatic or whether it was a situation as if you are starting afresh.

“(e) issue, revoke, suspend, cancel and vary licences;”

The language is harsh and oppressive, Mr. Deputy Speaker.

“(f) establish training and practical standards for the certification of security officers;

(g) establish and maintain a register of all licensees;”

When we left, I was talking about the Irish approach to how they deal with the regulation of the security services in that jurisdiction. And the concern of the business people who are the security firms is that the functions and powers of the authority, it appears to give seized ownership and the rights of the owner. And when we looked the Irish Private Security Act of 2004, there were three broad areas:

- ensuring that security officers are licensed to perform duties of the security;

And licensing, the regime started with entry qualifications, training, updating of training, output skills, et cetera.

So ensuring that the licensing regime, establishing a regimen of training and

adjudication to treat—sorry—

- training of persons seeking to qualify to work within the industry;

So one would have hoped that there would be some kind of qualification, some collaboration with an institution like COSTAATT, to develop very basic participation courses, to certify the security officers, so that we will have an upgrade of the skills and competencies in the industry.

- establish a system of investigation and adjudication to treat with complaints of the licensees;

The Irish Act promotes an authority that works in harmony with the security industry. This local Bill—and I am talking, I am just repeating the concerns of the security firms—does not do that, but rather suggests a big-stick approach, which raises questions relating to the confidentiality of the licensees.

Mr. Deputy Speaker, we see in another section the fact that the authority is required to maintain permanent records of the character, et cetera, of the workers, of security guards, and we are talking about permanent records. It means that if you have an illness, if you have a drug problem, this will be in the repository of the authority forever and one would want to look at, and the Joint Select Committee could look at, whether they would want to put some time frame on that.

One of the concerns—

Mr. Hinds: Six years?

Mr. R. Charles: Six years, 10 years, whatever. But it cannot be that if I joined something at 18 years, that some institution is going to have a permanent record and I could be judged by that forever.

Mr. Hinds: Member, Member.

Mr. R. Charles: Yes.

Mr. Hinds: Are you, in making that suggestion, which on the face of it appears appealing, but are you mindful that in this world and in this time of terrorist activity that cells could lay low for 10 years and then take the opportunity to make a big strike?

Mr. R. Charles: Yeah. I appreciate your point, Member for Laventille West, but are you also aware that in First World jurisdictions there is a whole tendency towards rehabilitation, so that after a specified period, the slate is wiped clean and you are allowed to start afresh and therefore—*[Interruption]* Those things—

Mr. Hinds: Thank you very much. I appreciate that. We are not talking about a criminal conviction, you know. We are talking about the records of the individual, all of them. In the public service you join at age 18 and they keep it until after you are gone.

Mr. R. Charles: Okay. Thank you very much. So that in the States and in Canada, if you have a drug charge when you are 18, after a specified period, the same thing that the records are held here permanently, we are not saying not, but perhaps not all. But certain categories could be for a shorter period.

But with reference to clause 13(5), the Irish Act promotes harmony and consultation and there is a whole study, an area of study, of how the private security firms can work with the state police service in order to have that level of complementarity so that they could jointly—you could take advantage of the best practices in both areas.

But, the concern of some of the firms is that this authority, an extension of the Executive, is that putting too much control. One must ask also whether one of the functions of the authority is to promote a private security industry that is characterized by professionalism, transparency, accountability, equity and accessibility and whether the Government in its practice will promote an authority

that is similar in nature. They are concerned about favouritism and that this information somehow could be used to their disadvantage. They have noted and they have said that there seems to be favouritism in the advertisements, et cetera, with respect to private security firms. They talk about a favoured security firm, and I am quoting:

This private security firm now controls the health sector and security at all our ports of entry: land, sea and air and they are firmly entrenched in the financial sector moving large sums of money for the Government. They have a monopoly in the movement of prisoners and they have virtually taken over the oil sector.

So, I am just saying that if we are to promote the development of entrepreneurs in our society, independent people of wealth, the Government must be a facilitator and it must appear to all in the sector that it is fair and they stand an equal chance.

When I started, I spoke about the persons who characterize the industry and my concern for them. Mr. Deputy Speaker, two weeks ago we heard about the horrific death of Jeron Ferdinand, who was found bound and gagged with a single gunshot to his head on a cargo vessel anchored off the port. Reports are that he was assigned to the vessels after a robbery took place there last month. And I got that from the *Guardian*, May 22, 2019. We heard about this incident of this young gentleman who was looking to survive, took the security job and was assigned, clearly in a danger spot. Questions remain as why he was killed, and what compensation his family is entitled to, compared to the \$1 million that police officers get if they die in the line of active duty. We need to have some, not necessarily a million, but we need to have some concern, because we are talking here about a disadvantaged sector in our society; a demographic in our society.

What training was he given? Were his employers aware that they were

putting him in a potentially dangerous situation? I heard the Member for Laventille West allude to a training programme and I thought I was transformed elsewhere because, like the Member for Oropouche East, I read this Bill five times and I did not see the kind of things that he was talking about, in terms of a pension plan, et cetera. Maybe that is the intent. And it is something that we will support, when we get to the Joint Select Committee. Did he work in a company which this Government owed millions of dollars and had to “scringe” on wages, training of staff and support systems, in order to survive? That is a reality.

Mr. Hinds: Scrounge, scrounge.

Mr. R. Charles: That the system is on the verge of collapse because of the fact that the Government is negligent in paying its bills to these organizations.

On the 15th of April, 2019, another security guard; 57-year-old Roger Borriell was found in Chaguaramas. They found him lying in a pool of blood on the ground. He had a gunshot wound to his head. I am only saying these things to give you an idea of the problem we face and the need for the legislation to really deal with the problems. It is no use for us in this ivy tower to sit down and say pass a Bill that does not bear any semblance to the reality on the ground.

On June 02, 2019, two security guards who refused to allow a group to enter a private pool party were shot by the two men from the same group. According to police, security officers Franklin Boris was shot in the left leg, while his colleague Al Sandiford was shot in his right foot. Mr. Deputy Speaker, in an industry that is 65 per cent female, what is being done to ensure that our female security officers are also protected?

The President of the Estate Police Association, Derrick Richardson said, and I said, and I quote:

There are also women issues. Sometimes they have to use male bathrooms.

According to recent statistics, as much as 65 per cent of the industry is female who work longer shifts in order to make enough money to survive.

Now, if they cannot take care of their children and their children are left with relatives, with strangers or whatnot, particularly when they have to do a double shift, we need to do studies to find out whether the children of female security guards, where they are single parents, whether they are at risk and therefore the society and the country needs to make some intervention in order to help that situation. I quote:

A lot of women are made to work these long hours to make up the money and the social fabric, the family unit, is being eroded as a result of these long absences.

And he says it is inhumane, it is cruel and it borders on criminality. That is what we face. That is what we have to correct here, not—we cannot regulate a sector and leave them vulnerable and hope that if you register, if they are licensed, that all these problems would go away. It has to be articulated with specificity in the legislation.

In the *Guardian*, reported on the 3rd of February, 2009, that, and I quote:

Sexual predators, bandits, and trespassers are creating fear among female security guards of the National Maintenance Training and Security Company (MTS). These security guards affected are those dispatched to five primary schools in Maracas/St. Joseph area and work 12-hour shifts from 6 a.m. to 6 p.m. and from 6 p.m. to 6 a.m.

Recently, there was an attempted rape—

The woman was said to be so scared that most times, when she is working a night shift, a relative or friend is present with her on the job, to provide added security. That is what we face. That is what our security officers face. They are victims of

robbery, physical abuse and recently some murdered in the process.

Now, the question of how can we move from that situation to something that is better? Part of it has to do with representation. But the Estate Police Association laments that in order to operate efficiently, the association must be able to represent all officers under current laws.

The EPA is unable to represent security officers who are not members of the association.

Reported in the newspaper, the President shared a photo on social media showing a galvanize hut in south Trinidad, which was allegedly used to shelter security officers. It quotes:

This is a security booth behind Pizza Hut in Gulf City, a galvanize hut. Not fit for a dog, but a security officer it is good.

I think my friend spoke about the food that the dogs get was superior to the food that the security officer gets.

You see, as we move into a society where we want to lessen income inequality, we want to have more equality. We have to have a system where everybody in this country has a fighting chance. Every bit of legislation that we bring to this floor must take into consideration the concerns of the disadvantaged in our society.

5.15 p.m.

He said:

On visiting the site, he observed a tiny shed held four chairs, implying that as many as four human beings were forced to stay and work in that hut.

We have been saying—and he says:

We have been saying that the security industries are an environment where officers are made to work long hours in inhumane conditions. We have

decided to highlight these areas where security officers are faced with working as much as 48 hours at a time and many times they are not being paid for an overtime rate.

This is oppressive, this is unkind, and this is an embarrassment to a society that aspires to be a First World country. I will now go to specific problems I have with the Bill. Clause 13(3) says:

“The Minister may give general policy directions, in writing, to the Authority which the Authority shall follow in the performance of its functions or the exercise of its powers under this Act.”

Mr. Deputy Speaker, this enables the Minister to give general policy decisions in writing to the authority, which must follow. The potential for political mischief or favouritism exists.

What is the point of having such strict requirements for the composition of the board, and stress the independence of Members, if the Minister has such great influence? Respectfully, this clause needs reconsideration. I would not necessarily say it be removed. The Minister already is afforded the power under this Bill to amend Schedules 1, 2 and 4 by Order, and everything else should come before Parliament or be decided by the board.

Clause 82(1)(a) empowers the Minister to make regulations in relation to uniforms, authorized insignia and other equipment to be worn or used by security officers. Why is the Minister becoming involved in marketing and essentially branding of private security firms, and these regulations are subject to negative resolution? We have said and we always say, let it come for affirmative resolution where we can debate and treat with the changes that the Minister makes.

Clause 24, the board is entitled to employ and remunerate as many people as it sees fit and put a pension plan in place for the employees. Now, I think this is

where the Member for Laventille West got confused because the Bill speaks to a pension plan for employees of the authority; not the workers, the security officers, which on our side is the main concern. So, the board has in its own right, is entitled to employ and remunerate as many people as it sees fit and put a pension plan in place for its employees. This has the potential to create mischief again, some oversight perhaps ought to exist, to ensure that nepotism and corruption is prevented and to prevent exorbitant salaries being paid.

Mr. Deputy Speaker, I say that we just had last week, the instance of Carl Jagdeo, the case of a CEPEP CEO who was paid \$1 million gratuity, after having held the position for one year. Mr. Deputy Speaker, I have worked 19 years in NP at a senior management level, Marketing Manager, and when I left that organization I did not see anything close to a million dollars. Something is happening and if we—you see, if we are confronted with problems and we ignore them and we get on as if nothing has changed, we create the problems and it becomes manifested. We need a mechanism in place to ensure that the board does not run on a frolic of its own with all this power, over 50,000 workers and 500 security firms and they begin to pay themselves exorbitant salaries.

Clause 27, the “Employment of Inspectors”. The Bill merely states that the individual must be the holder of a precept, the consensus is these inspectors wield great power and ought to be hired on the basis of much stringent qualifications. You cannot take somebody whose only qualification is being a precepted officer and put him as an inspector to enter into firms, demand information, right? And if you do not provide the information, you are subject to significant penalties. Perhaps some background in law enforcement or compliance would be desirable in order to maintain the integrity of the position as there is the potential to negatively affect the security operators’ business if the inspectors fall below standard.

Not only that, we are talking about a business where there is a lot of migration, people leave one firm and go to another firm. They get fired, they end up as inspectors, and they hold grievances against particular firms. Wielding that amount of power without a warrant, going into an organization and demanding information and could take things; that is madness. The problem—we even had a problem in San Fernando where people went with warrants on the basis of a—San Fernando West, on the basis of information that subsequently was found to be very tenuous and that was with a warrant, and you are giving an inspector whose only qualification is a precepted officer and he could walk into an organization and demand information and take away equipment, et cetera. That is madness. And that is why the security firms are talking, what is this Government—why is this penchant for power? Why? Why? [*Desk thumping*]

We are in a—the same thing we get here, Mr. Deputy Speaker, the insults, the sense that you do not belong, that somehow you are persona non grata, it is the same characteristic that extends to all the legislation and they treat the security firms with that scant disregard. And all of them have said they were not consulted. The association was not consulted. How you could make legislation—in no self-respecting democracy in the world would a government be brave enough to bring legislation to this Parliament and not consult the main stakeholders in the industry. Madness, Mr. Deputy Speaker. But we on this side are accustomed to that, we are accustomed, thank God for the Privy Council, thank God, thank God. [*Desk thumping*] And do not bring the CCJ Bill here on the Privy Council, “Ah could tell yuh up front”, unless we get a directive from the leader from Siparia, we are not going to give up that last avenue of independence and impartiality in this country.

Clause 31, Mr. Deputy Speaker, grants an immunity to inspectors

performing duties in good faith. You have a man who is a precepted officer, no other qualifications, he could walk in to your place, take information, perhaps, hopefully if he is good, I mean, I know there are penalties in the law if he gives information or what not, but you know how this society operates. He could give it to your competitors, and if he does that, he has immunity if he acts in good faith because you would not know what he has done with the information that he has received. And he maintains that information permanently. What is the thinking? Where does—sometimes you get the impression that they—that there is a—they wake up with a nice idea, there is a “vaps” but there is no thought going into the process. [*Desk thumping*] And when you sit back and you analyze it; had to be madness going on, it has to be madness.

Clause 29(1), the ability of inspectors to conduct random inspections on premises of security operators for priority security organizations, has the potential to disrupt the business in an industry as hectic as security. So he walks in there and you have to just stop your business and he parades all over the place. And if you do not pay him attention, if you do not give him information, you are subject to significant fines. Mr. Deputy Speaker, we have problems. We have problems. I was talking about some concerns I have with the Bill. The first concern I had—

Mr. Deputy Speaker: Hon. Member, your initial speaking time has expired. You have an additional 15 minutes. Do you care to avail yourself? Proceed.

Mr. R. Charles: Yes, Sir. Thanks very much. [*Desk thumping*] The second major concern I have, is that this Bill appears to meet one of the State’s and Finance Minister’s objectives of raising revenues even on poorly paid security officers, referred to—I will give you examples of the penalties. A revenue generating exercise. Hear the penalties: clauses 69 to 80 of the Bill provide various offences and penalties. Clause 69 creates an offence of an obstruction of an

inspector and a person who obstructs is subject to a fine of \$15,000 and to imprisonment of two years. That is small money. Right? So if I obstruct, “why you come in my place”? “Where is your warrant? Where is your—that?” Fifteen thousand, two years. Clause 81—sorry, clause 69 creates an offence of—sorry, 70 of the Bill makes it an offence for an inspector to disclose information and if he does, it is \$30,000 and imprisonment for five years.

Clause 71 makes it an offence for an inspector to falsify his report; \$30,000, five years. Money, Mr. Speaker, money, Mr. Deputy Speaker. Clause 72, the Bill creates an offence, et cetera, that, that, that, and a person who contravenes an offence related to security service operators, namely providing false or misleading information, et cetera, a person who contravenes clause 72 or:

“...fails to comply with section 36(8) or 36(9) commits an offence and is liable on summary conviction, in the case of—

- (a) a body corporate, to a fine of two hundred and fifty thousand dollars;
- (b) a director or other officer of a body corporate, to a fine of one hundred thousand dollars and imprisonment for twenty years;”

Anybody serious with this Bill?—20 years.

“(c) any other individual, to a fine of thirty thousand dollars and imprisonment for five years.”

Now, that is not all of the money, eh. This Finance Minister, “he good, he good”. Clause 53. [*Crosstalk*] He will tax me for talking hard in Parliament. Sometimes when I hear the bitterness coming next door, you get the sense that if they had an opportunity, I would be taxed for speaking in Parliament. But God is a good God and they say in my scripture, “No weapon formed against me shall prosper”. And I have faith, Mr. Deputy Speaker.

Clause 73, right?

“(2) A person...who fails to comply with section 41(4) and 41(5) commits an offence and is liable on summary conviction, in the case of—

- (a) a body corporate...two hundred and fifty thousand dollars;
- (b) a director...one hundred thousand...
- (c) any other individual...thirty thousand...”—right?

Clause 74 creates an offence related to security officers, namely providing false or misleading information:

“A person who contravenes this section commits an offence and is liable on summary conviction, to a fine of twenty-five thousand dollars and imprisonment for three years.”

Well, they want to lockup everybody. Lockup and take your money. How is a security guard going to get \$25,000 when he operates at, or she operates at minimum wage, works out to under \$3,000 a month, and you are going to fine that person because the person gave some false information, \$25,000 and three years in prison.

Clause 75 creates an offence related to special security officers, namely providing false information, et cetera:

“A person who contravenes this this clause commits an offence and is liable, on summary conviction, to a fine of twenty-five thousand dollars and imprisonment for three years.”

You think I want to go on? It is pages and pages of fines. Pages and pages. When they talk about control, for heaven’s sake, are we there to look at a situation, organize it in terms of outputs and create something that is better?

Clause 76, impersonation, \$30,000. Clause 77, an offence to forge or tamper a licence, et cetera, a security service operator, \$175,000; a director, \$100,000; a security officer—poor fella, he is getting \$3,000 a month, my pension is probably

higher than that—he has a fine of \$30,000, and I “doh” have \$30,000. I mean, I would like to have \$23 million, but I “doh” have \$23,000. A person other than a person referred to in paragraphs (a), (b) and (c), a fine of \$20,000.

Clause 78 makes it an offence for a person to obtain or utilize a security service form, \$100,000. Clause 79, an offence for a member of the board of any service to disclose information he receives during the performance—he has to pay \$50,000, and imprisonment for two years. And clause 80—and “all ah dis is money”, solid, liquid cash. Clause 80 makes it an offence for a member of the board, the CEO or any other person attending a meeting who fails to declare his interest in any matter, he is subject to a fine of \$100,000 and imprisonment for three years.

This is essentially a money making exercise and it is designed in our view to be so oppressive to the small security firms that only the large ones, the financiers of the PNM would be able to survive and prosper in this world where the economy has turned around and all of us are living like Enid Blyton, happily ever after.

Hon. Member: *The Famous Five.*

Mr. R. Charles: The third characteristic is that it appears to destroy smaller security firms who are owed millions by the State. The onerous fees. Part III, in addition to what I told you about fines there are now fees in Part III of the Bill. They have to pay fees. The Bill says in Part III, “Finance”:

“There is established a fund to be known as ‘the Private Security Service Authority Fund’...”

“Let meh hide meh wallet, eh”, because—lockup my wallet because the way things going on that side, I will leave with no money.

“There is established a fund to be known as ‘the Private Security Service Authority Fund’, hereinafter referred to as ‘the Fund’.

- (2) The Fund shall consist of—
- (a) such sums as may be appropriated by Parliament;” —cool—
 - “(b) monies paid to the Authority by way of fees collected under this Act.”

Mr. Deputy Speaker, the humble poor security guard, if he wants a licence and if the firm—and in fact if he works for a propriety firm the onus is on him to get the licence. So he has to go and pay for the licence to give fees to provide for high wages for the friends and family—what do they say, “the five Fs”, the friends and family and financiers to enjoy the hard work of the poor and lowly citizens of my country.

Clause 29(4) stipulates that police officers may accompany inspectors. Perhaps where 29(1) is concerned it should include “an officer must”, not “may”, “must accompany the inspector”, and a written list of items removed, requisition must be provided to the authority and also the security company. Clause 29(4)—[*Crosstalk*—the ability of police to accompany inspectors. The circumstances ought to be specified, it cannot be you wake up a morning, catch a “vaps” and decide you are going into this firm and not that one. [*Crosstalk*] You do not give notice, we are talking about specifying the situations in which you can make an investigation into a company. Do not mix the two.

Clause—we are not the PNM—anyhow. Clause 44(3), companies are required to apply for registration for each security officer and pay a prescribed fee for this licence. Additionally, applicants are required to undertake a drug test to be conducted by a state appointed laboratory. This creates additional expenses for the company. It is already standard practice for companies to drug-test new recruits. The major companies have EMTs on staff who can perform these drug tests. And the State—the authority can do random drug tests in order to ensure that the

standards are being utilized. We have talked about the situation where you have 3,000—the large firms, 3,500 security officers. And if every year you have to do a drug test, it works out to 300 drug tests you have to pay for in order to remain compliant.

Now, age discrimination, and I understand age discrimination, clause 47:

“Where an individual...sixty-five years or over is issued with a security officer’s licence”—he has to—it is only—“valid for one year.”

And the question is, and I am—is this discriminatory against persons of my age? I am 70 years old and much healthier than many on that side of much younger age. It would have been better if they said he has to be healthy and able to do the job. In the United States you are finding out, for example, that retirement age in Trinidad is 60, in the United States it is 66. And when we were at the UN, the employees had an option, the US employees in the Mission had an option to leave at 66 or 60. In Trinidad we do not have that option, “Throw them out”! “You are old, forget you, go through, you are stupid.” Clause 72(7)—

Mr. Deputy Speaker: Member, the last word, find a new word please.

Mr. R. Charles:—all right, I withdraw it, Sir, I withdraw it—states the potential liability that a company can face for noncompliance with clause 36(8) and (9) which deal with the need to report HR activities in the authority within seven days. So if you have an HR officer who falls down on the job, the organization is charged \$250,000 for failure to comply.

Mr. Deputy Speaker: Which clause are you on, Member?

Mr. R. Charles: I am on clauses 36(8), 36(9), 72(7), and 73(2). And that speaks about the administrative error and the requirement to report.

Handling a dog without a completed required training course. Now, I read the dog Act, the Dangerous Dogs Act, and I was trying to find out, do we have a

certified—I do not know. But you can tell me whether we have a certified training course for dog handlers in Trinidad; we may have. I do not know and I could be advised. You see, we put training and what not but we do not have the standards.
[*Crosstalk and laughter*]

Clause 74(3):

“A security officer shall not handle a dog unless he has attended and successfully completed a course of training in the control of dogs that is recognized by the Minister...”—et cetera.

Mr. Deputy Speaker: Silence, please, on the Government side.

Mr. R. Charles: The general feeling emanating from the Bill in its current form is that it heavily favours major security providers and will likely cause the smaller companies to sell or foreclose, and the question I ask to the Members opposite is: Why do you favour the large organizations and not the small businessman?

Mr. Deputy Speaker: Member, you have two more minutes.

Mr. R. Charles: When I was a PNM in those days—

Hon. Members: “Ohhh.”

Mr. R. Charles: When I was a PNM—and the Lord will forgive me for that. The Lord will forgive me. It was always—the emphasis was on the small man but today, today they have changed. [*Crosstalk*] All their actions are deuced to the benefit of the bigger companies. The Bill creates new expenses for security providers, more structured consultations are necessary. More inclusion of the Estate Police Association in the process. You all are not PNM. In the old Eric Williams days you were not going to make that. [*Crosstalk*] I maintain that this Bill favours one company more than any other.

In Kenya, the chairperson must be a citizen of the country, maybe we need to look at that particularly in the context of the fact that Caricom nations can come

to Trinidad. Okay, Caricom, but suppose the Americans want to come and establish security services in Trinidad, we need to specify that. In the UK, the authority can make recommendations for the maintenance and the improvement of the security industry. We see regulations, we see control, we do not see mechanisms for improvement in the industry in our situation. Conclusions: there is work to be done on this Bill to improve its practicality and applicability to the existing industry. The authority ought to be held to a higher standard of accountability and as such the Bill should state more defined rules and functions of the authority.

Mr. Deputy Speaker, the relationship between the TTPS and the authority ought to be specified.

Mr. Deputy Speaker: Member.

Mr. R. Charles: Thank you, Sir. [*Desk thumping*]

The Attorney General (Hon. Faris Al-Rawi): [*Desk thumping*] Thank you, Mr. Deputy Speaker. It is genuinely an exercise in extreme patience, tolerance, forgiveness, empathy, restraint to listen to the fulminations of the Member for Naparima. And I say so, Mr. Deputy Speaker, not to be pejorative to the individual, obviously, that would offend our Standing Orders, but really to characterize the level of intelligence behind the arguments that are put forward on behalf of the Member for Naparima.

Mr. Deputy Speaker, first of all I would like to compliment my colleague, the very hard working Minister in the Ministry of the Attorney General, [*Desk thumping*] the Hon. Fitzgerald Hinds, on taking paternity and demonstrating courage to complete the work that has been outstanding for so long. And I say so, because the Member for Oropouche East had the intellectual gall to stand up, profess that he had written a book on private security industry, he endorsed it,

gifted it to the Parliament—[*Crosstalk*]

Mr. Hinds: Quoted himself.

Hon. F. Al-Rawi: Quoted himself generously. Went through to Russell Huggins, coming through to Basdeo Panday, laid the RT at the feet of the Member for Siparia in the intellectual and imaginative sense. Taking all of that credit the Member did, but leaving out the fact that they did not have the courage to actually do the work, bring it to the Parliament and pass the law. [*Desk thumping*]

We hear the Member for Naparima who has fled from the Chamber as he always does, Naparima saying, “When I was a PNM”, and we have heard the Member for Naparima talk on many occasions about having resided in the bowels of the PNM. We understand that he came out of the bowels of the PNM [*Laughter*] and that he is now in the UNC, in the position that he sits now. These are the Member’s own words. That is okay in our country, we have recognized crossing the floor or having the rights for political freedom.

But to hear the Member for Naparima stand up today and make a mockery of law, and I will tell you how he did that in a short while. But to stand up and say that this Bill is designed for the rich and the wealthy, that this Bill is not designed for the poor man, Mr. Deputy Speaker, I did not come today to speak on this Bill. But, I am compelled to answer the ridiculous submissions put forward by Naparima in particular. The Member for Naparima has stood in this Parliament and said as it relates to law. Naparima returns to the Bill when he actually got to it, spent two seconds at first, left on a sojourn and then came back to the Bill. Naparima turns to the provisions of the law which deal with offences; Part XI, beginning with section 69, “Offences and Penalties”. And the Member for Naparima whilst hugging the chair of the Member for Siparia and jokingly making reference to the Bill, comes with the submission of law that offences and penalties

are somehow revenue generating exercises.

The Member for Naparima, in making a mockery of law, in making a mockery of this Parliament, stands up and says, “How are people going to afford these fines, minimum wage man, how is he going to afford a fine”? Not understanding that law must have sanction to be effective. Not caring to understand that it is only with the application of law and the imposition of sanctions that we see changes in our society. After all, who can afford a speeding ticket offered from a gun every five minutes? A speed gun designed to catch you while you are going, with a heavy offence, has caused—by its application—Trinidad and Tobago to want to drive within the speed limit.

So, how does the Member for Naparima arrive here to say the whole of Part XI is now a revenue generating exercise? How else do you regulate an industry such as this? Because, Mr. Deputy Speaker, this is a multibillion dollar industry. The movement of prisoners alone by private security transportation mechanisms costs the taxpayers of this country \$80 million a year. [*Crosstalk*] The implementation—

Mr. Deputy Speaker: Attorney General. Member for Laventille West, as the mover of the Bill you will have the opportunity to come back in.

Mr. Hinds: I know that, Mr. Deputy Speaker—

Mr. Deputy Speaker: Okay. No need to further comment, Member, please. Go ahead.

Hon. F. Al-Rawi: Mr. Deputy Speaker, the imposition upon the taxpayers by way of legitimate business commendably done by private security industry representatives and firms, such as in the movement of transportation of prisoners to the tune of \$80 million a year is a cost which we must spend. But it is in regulating the industry, and in having everybody in the industry managed by way

of line of sight, by way of information, that we achieve a number of holistic purposes.

And let me tell you what they are. First of all, this law proposes that everybody in the chain of the private industry is registered. The security officer, in any form, whether it be in respect of property, close protection security services, any form that the law provides, we are providing for a licensing and a public knowledge of who the person is; peace officers, property protection officers, close protection officers, all of these persons in the law are now to be known.

5.45 p.m.

What is the legitimate aim in having the knowledge of who these people are, their certificates of character, their medical condition, their propriety, their fitness and purpose for the job, their training, their vetting, their certification? The fact that they hold valid licence is something that redounds to the benefit of the whole of Trinidad and Tobago, because if you are hiring somebody you ought to have two obligations: know who they are, firstly; secondly you ought to have the right of remedy against them, and this law provides a balancing act for all of Trinidad and Tobago. Because if you are licensing everyone, the individual and the entity in the industry, you now have a right of recourse, but, Mr. Deputy Speaker, [*Desk thumping*] this Bill does something which is critically important.

This law provides protection for the thousands of people in the industry. And whilst the Member for Naparima considers it a joke, let me refer you, Mr. Deputy Speaker, to clause—if we take, firstly, 59 as just an example because it is repeated with respect to other agencies. Let us look at clause 59:

“In the performance of his duties, a peace enforcement officer may, in relation to the premises to which he is assigned” do a number of things;

“(a) search...

(b) examine...

(c) exclude”—and remove persons.

“(d) exclude”—and remove persons in other circumstances.

“(f) detain”—a person.

“(g) seize”—articles, seize weapons.

And particularly in clause 58:

“..a close protection officer is employed...may, in the performance of his duty, use reasonable force where necessary.”

When we look to the powers of a security officer under clause 49, again, the power to search, examine, seize; basically move people out.

Mr. Deputy Speaker, if we did not define these powers we are exposing the workers in the industry to civil lawsuit and to criminal action, because we are now clothing the persons who operate in this industry with the powers in law to do what they ought to do, and that, Mr. Deputy Speaker, is no sneeze. That is a very serious power that we are providing for the protection of the players in the industry. Now, we heard the Member for Oropouche East basically make a mockery of the licensing regime and poured scorn upon the fact that one would have to be licensed every three years. As the Minister of Finance pointed out, we license an elevator once a year, we license the sale of liquor by special licences, by occasional licences, et cetera, on a periodical basis. As the Member for Barataria/San Juan would know, we license private medical hospitals on a biannual basis.

Mr. Deputy Speaker, the concept of licensing is something which is well understood in law because licensing requires and offers an opportunity to refresh information, to have fresh consideration of the propriety of running a business such as this; it provides the employees of the industry with the knowledge that their

employers are being regulated, that their terms and conditions are being monitored, that they are effectively in good standing. And one can have no difficulty with a licensing regime particularly when this Bill provides for the rights of appeal to a body set up especially for that purpose to consider the appellate process, not in a court of law where it becomes expensive, but instead, Mr. Deputy Speaker, in a specialist tribunal. In the council conducting its enquiry, as it does under this law, under Part X in clause 62, in setting up a tribunal structure for the appellate consideration, we are allowing for a cost-effective management of rights of appeal, and that is to redound to the benefit of all citizens.

Mr. Deputy Speaker, there is another extremely important purpose, as I do not intend to be too long in my contribution today, which I would like to just give quick focus upon, and that is, the number one issue in our country is crime. Crime is something which affects our economy, our way of life. It affects our confidence, a self-security, a sense of security, the right to your enjoyment of life and your private life and your property are all recognized in our Constitution. If we were to implement a properly regulated industry such as this, we are providing something which we have not had before. We are providing a regulated system of utilization of power in persons who are not police officers. We are effectively expanding the reach of security services in an environment which is safe. On the one hand, the persons that hire these industry players know they are regulated, they are known, they are sanctioned, they have licenses applied to them; there are offences which they can trip, and, on the other hand, the operatives know that they have clothing in law for the powers that they exercise, as I have read out in respect of property officers, close protection officers, et cetera. Giving them those powers gives them a sense of security to drive to the point that I was just making, which is the expansion of arms and eyes everywhere.

As the hon. Minister in piloting this Motion set out, having 10,000 persons in a private security industry join the operationality of the police service in policing our country in known and certain circumstances is no better a goal than one could have for Trinidad and Tobago. And I commend the hon. Minister in taking the passion to drive this law into its fruition, into moving this Parliament to get to the point. I will end, Mr. Deputy Speaker, by saying, the observations made by the Member for Oropouche East can be easily addressed. The observations in a joint select committee can be easily addressed. The reasons that we have offered for a joint select committee will include the ability to have stakeholders appear before the joint select committee to iron out the fabric of what this law is to look like, but this law is, in large part, in good form and in good measure. The question is going to be whether the UNC will support the law. That is what it is about.

If we judge the UNC by its track record in spending five years and three months in doing nothing about the industry, in bringing no law to manage this purpose, in not driving it to successful conclusion, because I will remind that the UNC came in with a statutory objective in a constitutional majority environment. The UNC had the votes at all points in time to pass this law into effect without the participation of a PNM Bench, and that is the testimony that Trinidad and Tobago needs to listen to and we need to pay attention to, because, effectively, the ball is in the court of the Opposition. I denounce the ridiculous submissions made by the Member for Naparima. I genuinely believe that the contributions made by the Member for Oropouche East can be addressed in quick measure in the joint select committee. This law is in good measure and this law is certainly something that is designed for the benefit of the smallest of men. And I will say this, as I now come to a quick close, when I listened to the Member for Naparima regale himself with his stories of having been an executive at NP, and saying he could not imagine,

talking about leaving with \$1 million, I want to ask the hon. Member, whilst he was in the lap of luxury, courting Le Pen, courting persons who are known in very unfortunate ways in the international community; living the life as it was of Riley in the United Nations, how come he had nothing to say about a past member of Government, no longer a current member, walking away with \$13 million in gratuity from a bank?

The Member was totally silent when Larry Howai walked away with \$13 million in gratuity from FCB. [*Desk thumping*] The Member is now concerned about Cabinet reach in appointments. We heard nothing from the Member for Naparima, living in the lap of luxury as he did as a representative for Trinidad and Tobago in the United Nations, when Resmi Ramnarine was appointed. We heard nothing from Naparima then. There was no cry of, “Oh my gosh, this is the wrong thing to do.” We heard nothing from the Member for Naparima when NGC awarded the Beetham Waste Water project for billions of dollars.

Mr. Lee: Mr. Deputy Speaker, 48(1), please.

Mr. Deputy Speaker: Overruled.

Hon. F. Al-Rawi: Member for Pointe-a-Pierre, taking medicine for somebody else’s fever. Mr. Deputy Speaker, in rejecting the Member for Naparima’s ridiculous submissions, it is important to respond to the scandal put forward by the hon. Member, and the best way to answer that is with facts. And it is a fact that Larry Howai walked away with \$13 million. It is a fact that Speaker Wade Mark refused to allow a ventilation of that issue in this Parliament.

Mr. Lee: Mr. Deputy Speaker, 48(1), that has no bearing on this Bill.

Mr. Deputy Speaker: Chief Whip, your colleague for Naparima started it. Proceed. Overruled. [*Desk thumping*]

Hon. F. Al-Rawi: The Member for Naparima, in making his submissions,

bumbling as he does in his articulation of ideas—[*Interruption*] not that he bumbles, the ideas are bumbling. The Member for Naparima says, “Nice idea. They wake up in vaps. No thought for thing.” Where was the hon. Member’s voice when the OPVs were cancelled? Where was the hon. Member’s voice?

I see the UNC putting out memes to say that the previous Attorney General saved us \$1 billion in OPV claims. [*Crosstalk*]

Mr. Lee: Mr. Deputy Speaker, 48(1), could you draw me to what the OPVs have to do with this Bill?

Mr. Deputy Speaker: Overruled.

Hon. F. Al-Rawi: Thank you. I will assist the Member for Pointe-a-Pierre. I was going to end but let me finish now, a little bit deeper than where I was going to go. The hon. Member for Naparima said, specifically, nice idea, “vaps”, no thought, then went on to revenue generating, then went on to the application, obviously the hon. Member opposite was not paying attention to his colleague. I can understand why myself, but I did not think that he was that way inclined. But in answering this about bright ideas and waking up with “vaps”, the cancellation of the OPVs was the worst idea in Trinidad and Tobago’s position. [*Desk thumping*] As those vessels now sit, they are labelled in the Brazilian Navy as Trinidad class vessels. That is the name of the vessel category. As we are now looking to the protection of our borders, not a cry from the lap of luxury in the United Nations while one supped with Le Pen. Secondly—

Mr. Lee: 48(1), Mr. Deputy Speaker.

Hon. F. Al-Rawi: He has already ruled on that. Secondly, in relation to the—

Mr. Deputy Speaker: For the records, overruled.

Hon. F. Al-Rawi: Secondly, in relation to the failure of a lack of voice and cry from the lap of luxury in the United Nations, as the Member for Naparima held

that position, no cry when we saw the cancellation of the Special Anti-Crime Unit.

Mr. Lee: 51(b), Mr. Deputy Speaker. [*Crosstalk*]

Mr. Deputy Speaker: Member, overruled.

Hon. F. Al-Rawi: Mr. Deputy Speaker, the hon. Member for Naparima, who is the spokesman for the United National Congress on almost everything, stood in this Parliament and made the most ridiculous submissions in relation to this law, and in treating—

Mr. Deputy Speaker: Member for Laventille West, please, please—[*Crosstalk*]
All right? I do not want to have to call on you again.

Mr. Hinds: Obligated, Mr. Deputy Speaker.

Hon. F. Al-Rawi: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, my colleague for Laventille West is so passionate about this law that he takes it to heart, [*Desk thumping*] so I understand his passion which can sometimes erupt.

Mr. Deputy Speaker, when we are looking at the submissions in relation to taxation and the raising of revenue and the genesis of this law, I would just simply say, this country is warned to watch the submissions coming from the Member for Naparima “cokey” eye, if I could put it in the most colloquial of terms, because the hon. Member has a profound ability and talent to say one thing and to do another. And there is a very convenient memory that is demonstrated on the part of the hon. Member in treating with laws such as this, the submissions that offences are somehow revenue-generation items. It means that we should have no offence for no penalty in no law in Trinidad and Tobago, just cut out all of that. Secondly, we should definitely make sure that nobody is licensed in this country, just cut out all of that, licensing is unconstitutional. Thirdly, the aspect of providing regulatory framework to make sure there is certainty and precision within the operators of a particular industry, in this case the multi-billion dollar industry, that is the private

security industry, just take all of that out because that is unconstitutional.

When you strip down the ideas coming from a senior Member of the Opposition Bench, sitting next to the past Prime Minister of Trinidad and Tobago, you have to watch them “cokey” eye, Mr. Deputy Speaker. And, Mr. Deputy Speaker, what I will say, the reason for the move to a joint select committee is intended to test the willingness of the Opposition to support good law, and one can only pray that they will come with a sincere purpose to engage in this exercise. I thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: The Minister in the Ministry of the Attorney General and Legal Affairs. [*Desk thumping*]

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Thank you very much—

Mr. Indarsingh: I voiced my opinion before the Member—

Mr. Deputy Speaker: Both have your seats. Both have your seats. [*Interruption*]
Chief Whip, I have ruled.

Mr. Lee: Yes, Mr. Deputy Speaker.

Mr. Deputy Speaker: The Ministry—[*Interruption*]

Mr. Indarsingh: Mr. Deputy Speaker, I got up before the Member for Laventille West. [*Crosstalk*]

Hon. Member: It is who catches the eye.

Mrs. Robinson-Regis: It is who catches the eye of the Speaker.

Hon. Member: You did not catch his eye.

Hon. F. Hinds: Mr. Deputy Speaker, thank you very much for recognizing—

Mr. Deputy Speaker: Listen, I have ruled and I have ruled. Okay? Minister in the Ministry of the Attorney General and Legal Affairs. [*Desk thumping*]

Hon. F. Hinds: Thank you very much, Mr. Deputy Speaker. I would like to, of

course, begin by congratulating my colleague, similarly the Attorney General for making a rather incisive response to the incisive nonsense for “not making sense” submissions of the Member for Naparima.

Mr. Deputy Speaker: One second, I do not like the word “nonsense”—

Hon. F. Hinds: I withdrew—

Mr. Deputy Speaker:—in terms of how you have categorized it.

Hon. F. Hinds: I thank you. I changed it to “not making sense”. Thank you very much. Mr. Deputy Speaker, I would like, in the few remarks that I must render, the hon. Attorney General having dealt so comprehensively with the “not making sense” submissions that we heard, to say, in response to the Member for Naparima who told this Parliament, very baldly and very boldly, and rather unashamedly, and I rather suspect ignorantly, in the purest sense of that word, without knowledge that there were no consultations before today. Let me place on the record for the citizens of Trinidad and Tobago and for his colleagues who sit with him, who work with him, who hope to return to Government with him, hopeless as that obviously is, that that is not true.

We, Mr. Deputy Speaker, had three rounds of consultations in this matter. We consulted with various stakeholders. Let me list them: the Commissioner of Police and his office, obviously, and for obvious reasons; the Commissioner of Prisons and his office and personnel; the Office of Law Enforcement Policy, otherwise known as OLEP; the Ministry of Labour and Small Enterprise Development because of the labour content in these measures with an eye on the well-being of those who work in the industry for the operators. We consulted with the University of the West Indies: Mr. Deputy Speaker, the University of Trinidad and Tobago from where the Member—no, it was not the University of Trinidad and Tobago; I was about to talk about the honorary PhD issued in three months to

the Member for Pointe-a-Pierre, but it was not UTT, it was the University of the Southern Caribbean, because when I first got to know him he was Dr. Lee. Mr. Deputy Speaker, we consulted with the Ministry of Finance for obvious reasons; the Tobago House of Assembly—this is a national project for the good of all—the Chief Personnel Officer, the Strategic Services Agency, our premier intelligence-gathering agency in Trinidad and Tobago; the Anti-Money Laundering, combating the finance, the AMLC; the compliance unit of AMLC; the Chamber of Commerce; the Energy Chamber; the Bankers Association; the Association of Insurance Companies, because in this Bill insurance and pensions are a critical part for the benefit of those who work in the industry.

[MADAM SPEAKER *in the Chair*]

The RBC, TSTT, T&TEC, NIPDEC, the Chaguaramas Development Authority, all hosting security personnel; COSTAATT; G4S, a major security operator in Trinidad and Tobago and worldwide; Imjin Security Services, a major and longstanding player in the industry in this country; Amalgamated Security Services, longstanding, major share of the market from my observation; the MTS, that National Maintenance Training and Security Company which employs thousands and thousands of security officers, taking up positions in many public offices around the land; Heller Security, longstanding, well-reputed; Quality Security Bodyguard Services; Innovative Security; SWAT Security; Association of Security Companies, their association; their embodiment in that Association; the Estate Police Authority, Trinidad Cement Limited, which hires a significant component of them; the Private Security Network Commission, another critical stakeholder; ASIS—not SIS, “eh”, ASIS International; Caribbean Institute for Security and Public Safety, a think tank; Prof. Ramesh Deosaran, who has been involved in these issues with the police as a former chairman of the Police Service

Commission, who would have written extensively from his chair at the university, and, of course, one person, an individual called Cyril Balbosa, a security officer who made himself available, and we had three rounds of consultations. It simply is not correct for the Member for Naparima to have come here this evening and to so glibly and shamelessly submit, to the desk banging of his colleagues on the other side, that we had no consultations. That has to be rejected flatly, Madam Speaker. He told us in his submissions that he came out of the bowels of the PNM, I know the PNM felt a significant relief that having been done. [*Desk thumping*] [*Interruption*] Yes. And it is now resting somewhere on the ground, I understand at the cemetery.

Madam Speaker, the Attorney General, the Member for San Fernando West, as I indicated earlier, dealt comprehensively with his submissions and I need not waste your time and the time of this Parliament any further in dealing with that. I shall reserve my comments on him for a more appropriate occasion. As for the Member for Oropouche East, he told us that there was nothing on vetting in this Bill, nothing on finding, to use his word. Madam Speaker, there is a lot that would go into legislation but it would find itself in regulations. He spoke about qualifications and he wanted that to be spelt out, even at this early stage. He spoke about the qualifications of the inspector and the office created under this law. All of these matters, as in many other legislative regimes, would find those details in regulations, not in the parent or the main body of the law, and the Member for Oropouche East ought to know that but he spent at least 20 minutes of his speaking time going on ad nauseam about that and it is so simple.

He recommended that we, on the authority that we are establishing, populate it with persons who are familiar with the sector. I dare say, that is there. He spoke about people with experience in the sector, right there before his eyes, but he

stands up here today and say, “It should be there.” So you understand why when they were in Government they got things so horribly wrong; confused, and trying to confuse us but we will not be deterred. We remain focused, we remain steadfast with one thing in mind and that is the public interest, the widest and the deepest public interest in all that we do, unswervingly so, and we remain unmoved. He suggested that there be business persons. In front of his eyes it is there, persons from the business sector without any attachment to avoid conflict of interest with their role, or in their role on the authority.

So, Madam Speaker, I do not think that he said anything else that need to take up too much of our time at this point. I would like to say, though, that the Member for Oropouche East having, while he was a Minister of Government, a permanent detachment of Innovative Security at his home, he should understand a little bit more about the security industry and relations as a citizen with them. He told me here today—I do not know how he arrived at it, I had to stand—

Madam Speaker: The Member—

Hon. F. Hinds: The Member for Oropouche East—

Madam Speaker: Thank you.

Hon. F. Hinds: I am sorry, the Member for Oropouche East. I think he recommended that I had “strimps”. I found it offensive on two counts, one, I had never in my life heard of “strimps” before, and, secondly, I thought deeply about it and I had a sense of what he was trying to talk about, and I had to tell him I am a hardcore vegetarian. “I man don’t deal with dat.” [*Desk thumping*] To compound his apparent ignorance—

Mr. Indarsingh: Pronouncing.

Hon. F. Hinds: “Doh” tell me a word about pronunciation, is that I am dealing with now, his pronunciation. He saw a restaurant somewhere in One Woodbrook

Place, it is spelt, C-H-A-U-D; it is a French word—“Wha he call it?”

Hon. Member: “CHOD”

Hon. Member: “CHOWD”.

Hon. F. Hinds: He called it “CHOD” or “CHAD” or “CHOWD”, or something. It look, the Member, like his tongue is twisted around his eye-tooth so he cannot see what he is saying. *[Interruption]* No, the word is CHAUD. The word is CHAUD.

Hon. Member: To get you incensed—

Hon. F. Hinds: Right? To get me incensed?

Hon. Member: Yes.

Hon. F. Hinds: I am unmoved, I told you that. I am like the rock of David, “yuh cyah move I at all”. *[Desk thumping]* Madam Speaker, so I do not know why he brought me into his affairs with this “strimp”, and all that. I have gone to CHAUD and I had a wonderful pasta and mushrooms, and I am planning, at some stage again, to enjoy it.

6.15 p.m.

Hon. Member: We are talking about security.

Hon. Fitzgerald Hinds: “Yeah”, we are talking about that. In conclusion, since he raised it, I am not going to do like the Member for Oropouche East, take up almost permanent residence in the Hyatt and in a room in St. Lucia and have no champagne with nobody, because I do not drink alcohol either.

Hon. Member: “Yuh jealous of him.”

Hon. F. Hinds: Jealous? “Ah doh want no part of dat.”

So, Madam Speaker, I have heard my colleagues on the other side, and we as an open-minded, transparent, well-meaning Government, we do two things. We came to this House with these measures, and recognizing some of the issues might

need further ventilation and analysis, we offered initially that this be taken to a joint select committee, which we have announced. We will also assure the national community that we keep an open mind and an open heart, in metaphor, to all ideas. As a matter of fact, we envisage that we will have other stakeholders or those stakeholders visit with us again during the course of the joint select committee proceedings, so that when we come back here to debate the report of the joint select committee, it should be a product that all are on board with, and the *Express* editorial from which I quoted today which suggested that it should get the support of both sides of the House, and questioned as to why it took so long, will be questions that we would have answered by our conduct in the interest of the people of Trinidad and Tobago, both sides of this House. So we did that. The Member for Oropouche East protested at the idea of issuing licences that would expire, that have a life of three years. We considered that three years was quite reasonable, and he was condemnatory on that matter. He finds that three years is too short in the life of a business and so on. I just want to remind the Member for Oropouche, before I come to a conclusion, that private hospitals are required to be assessed on an annual basis. [*Interruption*] It does not matter—it does not matter. Doctors have to have their licences, their authority to practise, renewed on an annual basis; lawyers as well, pharmacists, pilots. In the civil aviation industry very stringent rules for aircraft, for operators, for workers, especially for pilots.

The Member for Oropouche East is pretending he does not know that, and he is suggesting that it is too onerous on an operator in this business. I had to ask the Member for Naparima when he was making his unconvincing arguments that—I had to remind him, Madam Speaker, that, you know, this is normal. We live in a world of terrorism. This is not just about security to protect us from crime and violence, you know. We contemplate as well the issue of terrorism. There are

many places in this country and in this world where private security operates in that protection, and we are very vulnerable to terrorists.

On the business of keeping permanent records, imagine the Member for Naparima has trouble, he has a problem with that. I had to have him know that when you join the public service, or one of the agencies of the State—at the age of 18 as I did—they keep a file on you all the way through, and even after you retire at the age of 60 or 65. That is not just so, that is for very good reason.

So that if we discover a security operator firm was misconducting itself, breaking the law, according to them we should wait until five years or seven years before we are able to review them and to treat with them. Madam Speaker, we do not consider that to be sensible, but again these are matters that we can deal with going forward.

So I promise myself and I promise this House that I will not be long, I will not keep you very long. So we will continue to take the approach that we had. We brought the measures here, we will take it to a joint select committee, we will deliberate upon it. Independent Senators, Members of the Senate, Members of this House on both sides will have an opportunity to bring to bear their intellect, their human experiences, all of the skills that we have as varied kinds of professionals in this place, and having so done, the product, the outcome, should be that which Trinidad and Tobago is proud of.

So, Madam Speaker, in those circumstances and without more, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Madam Speaker, in accordance with Standing Order 68(1), I

beg to move that the Private Security Authority Bill, 2019, be referred to a Joint Select Committee hereby established for that purpose, and that this committee be empowered to consider and report on the general merits and principles of the Bill, and report to this honourable House by September 27, 2019.

Question put and agreed to.

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Thank you yet again, Madam Speaker. Subject to the concurrence of the Senate on this matter, I beg to move that this House appoint the following Members to serve on the Joint Select Committee on the Private Security Industry Bill, 2019:

Mr. Fitzgerald Hinds, yours truly

Mr. Stuart Young

Mrs. Glenda Jennings-Smith

Brig. Gen. Ancil Antoine

Mr. David Lee; and

Dr. Roodal Moonilal.

Thank you, Madam Speaker.

Madam Speaker: Hon. Minister, is “yours truly” part of your title?

Hon. F. Hinds: It is not. [*Laughter*]

Madam Speaker: Okay, so I will now put the question.

Question put and agreed to.

**NATIONAL EMBLEMS OF TRINIDAD AND TOBAGO
(REGULATION) (AMDT.) BILL, 2018**

Bill to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap. 19:04 [*The Minister of Agriculture, Land and Fisheries*]; read the first time.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Madam Speaker, I beg to move:

That a Bill to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap.19:04, be now read a second time.

Madam Speaker, thank you very much for affording me the opportunity to visit this Chamber. I do not intend to abuse this invitation.

In summary, this is a short Bill which seeks to make a single change to a Schedule to a short Act which is only nine sections. That short Act is the National Emblems of Trinidad and Tobago (Regulation) Act. It was enacted in 1967, and the intention was to deal with the introduction in time for the country's independence in 1962 of three named national emblems. Those emblems are: the Coat of Arms, which Madam Speaker, is above your head, the national flag, which is on your right side and on your left side, and the national flower, which is not at present in this Chamber, but once this House agrees with me this evening, we will ensure that the Double Chaconia is on display even in this House. [*Desk thumping*]

This short Bill sets out to put in place provisions for the preservation of the copyright in these national emblems, the opportunity for the Minister responsible to grant licences in relation to the use of these national emblems, the composition and the opportunity to appoint a National Emblems Committee to deal with matters relating to the emblems and, most importantly, in the one Schedule to the Bill, to set out in three parts the description of these three national emblems.

When you look at the Schedule, Madam Speaker, you see two things which are very evident. The first is that Part I of the Schedule deals with the Coat of Arms, and I do not invite you to look above your head, Madam Speaker, but you can take my word for it. This country's Coat of Arms is distinctive and it is

unique. It is not something that can be used elsewhere, it belongs to us, and we have provisions in place to protect it.

If you look to your left and your right, Madam Speaker, Part II of the Schedule addresses that, the National Flag, and there is no doubt that our national flag is distinctive in its design, not only because of its colours, but because of its unique design, and distinctiveness and uniqueness are important to any national flag.

Part III of the Schedule deals with our national flower, and it describes the national flower in its biological name and also in names that are familiar to our citizens: the Wild Poinsettia, the pride of Trinidad and Tobago.

But therein lies the problem; even before the national flower was identified as the Single Chaconia, a debate had already started in the country, and that debate deals with the uniqueness of the Single Chaconia. It is now well established, 57 years after, that the Single Chaconia is not unique to Trinidad and Tobago. It is found in those places which enjoy similar temperature to our country, and similar conditions to our country. And even before the national flower was officially recognized as the Single Chaconia, a debate had started about the truly unique flower to our country, which is the Double Chaconia. Until now, despite all the debate and the discussion, we have not had the opportunity to correct that.

In fact, in that Act of 1967 we have only interfered with it once, in 1980, to include what is now section 9, which is a validation provision to deal with matters dealt with prior to 1980. It is not something that you are going to touch very lightly. It is not something that you are going to interfere with, unless you have conviction and unless you have the support of those who know best.

In this debate stands out a series of persons, including Prof. Julian Kenny for example, entities like the Field Naturalists' Club, the National Herbarium, the

University of the West Indies, the Horticulture Society of Trinidad and Tobago. And over the years there have been numerous publications, recent publications in fact by the University of the West Indies, setting out over and over the case for the recognition of the Double Chaconia as the national emblem of this country, the national flower, amongst the three national emblems.

So this Bill, as I have said, is a short Bill, three clauses, and the objective of the Bill is to amend Part III of the Schedule to the short Act to which I have referred, and to make a single change. That single change is to recognize now, instead of the Single Chaconia, the Double Chaconia as the national flower of Trinidad and Tobago.

When you go to clause 3, you would see the reference to David Auyong. David Auyong was one of the horticulturists who accompanied Grace Malloon to that trip to north/east Trinidad in the 1950s when the Double Chaconia was first identified. The name attached to what we propose as the amendment to Part III of the Schedule recognizes David Auyong's role as the person who developed the cultivar which gives rise to the opportunity to propagate the Double Chaconia.

Grace Malloon, who was the other horticulturist on the trip, did not go recognized. It is ironic or coincidental that in 1987 she was awarded the Chaconia Medal for her contribution to horticulture in Trinidad and Tobago.

Madam Speaker, it is Friday and I do not wish to abuse my privilege. I have come to this House simply to put forward this Bill, to ask for this change, as small as it is, extremely significant to Part III of the third Schedule. Madam Speaker, I do not wish to detain you anymore. I beg to move.

Question proposed.

Mrs. Vidia Gayadeen-Gopeesingh (*Oropouche West*): Thank you, Madam Speaker, for this opportunity to join in this debate, and also to respond to the hon.

Minister on the Bill the National Emblems of Trinidad and Tobago (Regulation (Amdt.) Bill, 2018.

As the hon. Minister said, this Bill is rather short, three clauses: clause 1 which represents the short title of the Bill; clause 2 which is the interpretation, and interpretation to the words “the Act” which means the “National Emblems of Trinidad and Tobago”, and Part III which is—Part III of the Schedule amended to replace the word “Chaconia” with the words “Double Chaconia”.

Madam Speaker, this session here is not really a botany exercise, but the Single Chaconia is really the wild type plant that is found in equatorial regions of the world like in Peru and Ecuador and Brazil and so. And the Double Chaconia is really the mutant which is really indigenous to Trinidad and Tobago.

Mr. Indarsingh: You should be the Minister of Agriculture on just that.

Mrs. V. Gayadeen-Gopeesingh: I have listened to the hon. Minister and I have also looked at his contribution with the *Hansard* record of the Senate. When I went through the *Hansard* record, I saw that the hon. Minister said to change the Single Chaconia to the double was a Cabinet decision one year ago. And one year ago also, the Cabinet took a decision that the Chaconia should be planted on the grounds of every school in Trinidad and Tobago, and he said that was not by an accident.

What I need to ask the hon. Minister here, Madam Speaker, is: What is the status of this grand project to plant the Chaconia in every school in Trinidad and Tobago? I would let the hon. Minister know that I have 14 schools in Oropouche West, 11 primary and three secondary schools. As a Member of Parliament you would go to these schools for different reasons. And since last year I have been visiting these 14 schools, and to date I have not seen any Chaconia planted. I am not sure if we could call it the “plight of the missing Chaconia”, but

none has been planted. [*Desk thumping*]

In fact, the students of Ramai Trace Hindu School have asked me when it is the Double Chaconia is going to be planted in their school. But their school, the children are going to a temple for the last three years to get school sessions and to get school to learn.

Madam Speaker: Member for Oropouche West, I have allowed you some latitude. This is not a debate about schools. So I am anticipating where you are going. This is not a debate about schools. So quickly tie what you are talking about with the lack of the Double Chaconia in your schools back to this debate. We are not talking about schools in temples, please.

Mrs. V. Gayadeen-Gopeesingh: I heard you, Madam Speaker.

Madam Speaker: Please move on.

Mrs. V. Gayadeen-Gopeesingh: Yes, I would move on, but you see we cannot be anticipatory in this Parliament, because we need to see the nexus—[*Desk thumping*]

Madam Speaker: Member! Member! If you wish the opportunity to go on, press on, you can. Just do not go back to where you have just come from.

Mrs. V. Gayadeen-Gopeesingh: Thank you, Madam Speaker. So the other point that the hon. Minister said from his contribution in the Senate, or the other place, sorry, is that this plant is rather difficult to propagate, and I am wondering if the hon. Minister realizes that with agriculture comes science. This plant cannot be difficult to propagate, because if you look at the physiology of this plant, the Double Chaconia, you would see that it gives an inflorescence at the terminal bud. It also gives an inflorescence at the axio node. If it gives at the axio node, you could do budding of that plant, and then you could also do tissue culture, because the plant has the meristematic region where you can also take and propagate the

plant.

Mr. Indarsingh: Get the St. Augustine nursery working on it.

Mrs. V. Gayadeen-Gopeesingh: So I am saying to the hon. Minister that when you are dealing with agriculture, technology is important. [*Desk thumping*] And once technology is important, Madam Speaker, you could create that environment where the plant exists in its natural habitat by controlling humidity, by controlling temperature, by controlling water intake, and create that environment by modifying your conditions. So the plant is not difficult to grow and in so doing you can have plantlets to grow into the different schools on the compound, and enable the children to have that national pride and say that is the Chaconia, the emblem of Trinidad and Tobago.

The other thing, Madam Speaker, is that we have a polymer birth certificate in Trinidad and Tobago, and on that birth certificate you would see a Single Chaconia. That is the emblem, a Single Chaconia, which was our national flower. But this polymer birth certificate was enacted or processed in 2016 under this PNM Government, and during that time they would have known their legislative agenda, and they would have known that we are going to change the Single Chaconia to the Double Chaconia. So why roll out a birth certificate if you know you are going to change your polymer birth certificate into the Double Chaconia? [*Desk thumping*] So there is a cost to the taxpayer.

Mr. Indarsingh: “De general did not know what he do.”

Mrs. V. Gayadeen-Gopeesingh: Take for example my constituents in Oropouche West. If I were to tell Ramlal check his birth certificate. On the top left you would see one row of sepals, but you know what? We are going to get two rows of sepals. How is that going to impact his life when he needs water? How? [*Desk thumping*] What benefit will accrue to Ramlal?

Madam Speaker: Member, this is not a debate about water. I am not allowing you go there. Please get back to the Bill—please.

Mrs. V. Gayadeen-Gopeesingh: On the other note, if we are going to protect this plant we have to have intellectual property rights. [*Desk thumping*] What we have is enabling legislation from 1978, the International Convention for the Protection of New Varieties of Plants. We also have what is called “international agreements”, [*Desk thumping*] major international conventions. We are the signatory to the Convention of Nature Protection and Wild Life, [*Desk thumping*] and we are also signatory to the protocol concerning specially protecting areas, and also the Convention on the Conservation of Biological Diversity.

My point is, if we are to have this plant protected we have to engage and use the enabling legislation so this plant can be protected and you do not have what is called “poachers”. Just as we have the Scarlet Ibis being poached, so too this plant will become an exotic plant and we will have other persons trying to poach the land. [*Desk thumping*] So what I mean by being poached is that you now will use this plant as for beneficial purposes, because with technology budding becomes easier, and now you could propagate your own plant and use it to bring in revenue for yourself. So what is the policy of the Ministry of Agriculture, Land and Fisheries? The Ministry of Agriculture, Land and Fisheries, their policy, in creating their own niche and capturing what is called the exotic flower market.

Also, has the Conservator of Forests been involved in certain areas where the flowers grow in its natural state? Because what we have really happening is that in the forested area you will have persons doing illegal quarrying. You will have forest fires, and you would have deforestation. [*Interruption*]

Mr. Deyalsingh: Madam Speaker, with the deepest of respect, Standing Order 48(1). This is not about propagation, forests; please, 48(1).

Dr. Moonilal: What it is about?

Madam Speaker: The objection is upheld.

Mrs. V. Gayadeen-Gopeesingh: Madam Speaker, the hon. Minister spoke about one of the national emblems which is the Trinidad and Tobago national flag. He invited you to watch on both sides, but I want to invite everyone here and to remind you that when you are travelling down to south, and you pass Preysal and you reach Couva, there is a beautiful white building with a flag, [*Desk thumping*] the national flag, red, white and black, and that building is the Children's Hospital. We will take pride when that will be opened.

Madam Speaker: Member.

Mrs. V. Gayadeen-Gopeesingh: Just like the—

Madam Speaker: Member for Oropouche West, I am on my legs! I am allowing you one more opportunity to get back to this Bill. If not, then I will invite you to take your seat.

Mrs. V. Gayadeen-Gopeesingh: Madam Speaker, as I was winding up, [*Desk thumping*] I am saying, that that beautiful emblem will give us—because this Chaconia represents the pride of Trinidad and Tobago. [*Desk thumping*] I am saying if that building, which is the Children's Hospital, were to be opened, we will be prouder. Thank you, Madam Speaker.

6.45 p.m.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you very much, Madam Speaker. [*Crosstalk*] Madam Speaker, I want to thank the Member for Oropouche West for taking me through the 41 constituents, and I respond in this way. Madam Speaker, my friend the Member for Oropouche West has a degree in agriculture and is an attorney-at-law and she has used parts of both, but not necessarily the important parts of both.

[*Laughter*]

Madam Speaker, let me deal with the absence of an understanding and appreciation of the law. I have been to 108 schools as Minister of Agriculture, Land and Fisheries. In fact, I went to my friend's constituency, Woodland Hindu, and she could not make it that day—

Hon. Members: “Aaah.” [*Crosstalk*]

Sen. The Hon. C. Rambharat:—and I had a very long discussion with the children at that school saying to them, we are committed to have the national flower planted in every school in Trinidad [*Desk thumping*] once it becomes the national flower. I could only do that if I complete my work here this evening and we complete the work that has to be done elsewhere.

So, from a legal point of view we intend to do that once it is the national flower. But from an agriculture point of view, my friend should also know that even David Auyong in the 1950s had great difficulty in propagating as I said in my opening. In fact, Madam Speaker, I would refer to, of the several meetings we had, I refer to one held on the 7th of February, 2018, a meeting attended by the Trinidad Garden Club, Eastern Horticultural Club, National Herbarium, Field Naturalists' Club, Citizens for Conservation, La Vega Estate, Trinidad and Tobago Orchid Society. And at that meeting, Yasmin Comeau from the National Herbarium made a few points that my friend may benefit from.

She made the point first that the Double Chaconia has a recessive gene and a limited genetic pool. It is a high-risk mutant plant and a unique botanical specimen, it is difficult to propagate. And in the year that has passed, as my friend referred to it, the Ministry together with the Horticultural Society has been propagating the national flower in anticipation of the Double Chaconia being proclaimed so that we could plant in the schools. [*Desk thumping*] But it is a

difficult plant to propagate.

My friend has talked about the natural habitat and having the flower in the natural form, and Ms. Comeau made this point. She said the double chaconia is considered extinct in the wild and only exists in the cultivated form. In other words, it is through propagation that we would have the chaconia. It is not something that you could walk into the forest and pick out plants and so on. There is no natural form for its existence. It is cultivated and that is what we have been doing.

And the third point and final point I will address is this issue of the polymer birth certificate. And I recall, in fact, in a debate in the other place I made reference to my father's birth certificate. It was a beige coloured paper, handwritten. In fact, in that debate I said the word "illegitimate" was written on my father's birth certificate. My own birth certificate was white, written in black ink. There were other persons who came along after me and got a blue electronic birth certificate. And those who came even after, got a polymer birth certificate. Nothing has rendered any forms of that birth certificate unavailable for use for official business. [*Desk thumping*] There is absolutely no danger. The coins that bear the single chaconia will continue to be valid tender and it is not strange.

So I do not think the people from Oropouche West need worry about this small change being made affecting the legitimacy of any of their official documents or anything in their possession currently marked with the Single Chaconia. In time to come, it may be marked with the Double Chaconia. With those words, Madam Speaker, 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.

Madam Chairman: Minister all, en bloc? [*Crosstalk*]

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

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

House resumed.

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

**MISCELLANEOUS PROVISIONS
 (PETROLEUM, PETROLEUM PRODUCTION LEVY AND
 SUBSIDY AND INCOME TAX) BILL, 2019**

[Second Day]

Order read for resuming adjourned debate on question [May 24, 2019]:

That the Bill be now read a second time.

Question again proposed.

Madam Speaker: Minister of Finance, you have 12 minutes of original speaking time left. [*Desk thumping*]

Hon. C. Imbert: Thank you, Madam Speaker.

Hon. Member: I beg to move.

Hon. C. Imbert: I will not be long. I assure you I will not be long. Madam Speaker, on the last occasion, we did not complete the winding-up of this Bill because we had to look carefully at whether we wanted to continue with the amendment to the Income Tax Act. I can say now that we do not intend to go ahead with it at this time. We will have another time to do that. In fact, we have legislation before a parliamentary committee dealing with a related matter. So it is appropriate that we leave that alone for the time being.

A number of allegations were made on the last occasion, a number of questions were asked, particularly by the Member for Caroni Central. And I would

just like to put on the record now, Madam Speaker, what the facts are. In particular, because this Bill touches on the operations of the restructured Petrotrin, which was restructured into four companies, namely, old Petrotrin, Guaracara Refining, Heritage Petroleum and Paria Fuel Trading, questions were asked whether the long-term security of these companies was assured in the context of a bond issue that comes up for renewal in August of 2019. And that is a US \$850 million bond that was issued several years ago for upgrade of the Pointe-a-Pierre refinery among other things and it is due for repayment, it is a repayment by a bullet payment in August of 2019.

Madam Speaker, on the 15th of April, I am not certain exactly when we were doing this Bill on the last occasion, I am sure it was after the 15th of April though, on the 15th of April the online newswire called *PR Newswire*, which is a publication that follows the capital markets and the bond markets in the United States, published a document as follows:

“Trinidad Petroleum Holdings Limited Announces the Commencement of Offers to Exchange Any and All of its 9.75% Notes due 2019 and 6.00% Notes due 2022 for New U.S. dollar-denominated 9.75% Senior Secured Notes due 2026 and, if applicable with respect to the 9.75% Notes due 2019...”

Last week, Madam Speaker, Trinidad Petrotrin announced that it had secured all of the required financing, conditional commitments because there are several things that still have to be done in a complex transaction like this. There is a lot of paperwork to be done, but when you approach a financial institution or a consortium as it is in this particular case, they will give you a commitment with certain conditions precedent to disbursement. And last week Trinidad Petroleum announced that it had met the requirements to receive a conditional commitment

from the consortium of banks essentially led by Credit Suisse and including Bladex and FCB, the local counterpart and Morgan Stanley for loan financing in the amount of US \$720 million. The other US \$130 million was to be or is to be refinanced by a bond swap where existing bondholders would swap the bonds that they have that are maturing in August of this year for new seven-year bonds at the same interest rate.

The original plan, Madam Speaker, was that approximately \$425 million of the bonds would be swapped out and US \$425 million would be financed by a loan. There was a minimum condition of acceptance by existing bondholders that at least \$150 million worth of these bonds, these two bonds that I just called out, would be accepted for swap. Trinidad Petroleum also met that criteria. So that the plan up to last week was that US \$130 million would be swapped out and US \$720 million would be refinanced by way of a loan.

The terms on the loans are actually better than the terms on the bond swap, in that the bond swap is at the original interest rate of 9.75 per cent and the loan [*Crosstalk*]*—would you relax—Madam Speaker, thank you. I do not know why they are so jumpy, I am talking. I am still speaking, I have not finished. Thank you, Madam Speaker. The bonds will be swapped out at an interest rate of 9¾ per cent for new seven-year bonds at 9¾ per cent. And the loan was a combination of a three-year facility and a seven-year facility. The three-year facility, the reduction in interest rate was 150 basis points, so 1½ per cent. So if you deduct 1½ per cent from 9.75 per cent you would get 8¼ per cent is the loan, for the three-year loan facility. For the seven-year, it was a reduction of 50 basis points which would take it down to 9.25 per cent. So that Trinidad Petroleum by the end of last week had secured commitments for loan financing up to US \$720 million and a bond swap of 150.*

Subsequent to that, the company continued to speak to bondholders to see if they could increase the amount of bonds to be swapped—and there is an article in the newspapers today—you know, of course, it is in the newspapers. So that, one has to test the accuracy, but in the *Newsday* today there is a group of bondholders; it is indicated in the *Newsday* today that there is a group of bondholders who have come back to the table and they have decided to participate in the bond swap in an additional sum of US \$273 million.

So if you add the 273 to the 130, and if all of that is taken into account, you will get about \$400 million in swap and \$450 million more or less in financing. But the point is, Madam Speaker, whichever way it turns out, the Trinidad Petroleum has done what they were supposed to do and they have secured commitments for the refinancing of that US \$850 million bond issue. [*Crosstalk*] Just a minute, for which, Madam Speaker, it was not easy, for which the Board of Petrotrin, the Board of Trinidad Petroleum, the Board of Heritage Petroleum and the Board of Paria and all of the persons involved in this exercise must be congratulated. [*Desk thumping*] It was not easy. And I will explain why it was not easy.

You had, the previous entity, Petrotrin, which had a very poor history, a very poor payment history, a very poor credit rating, a history of losses, that was then restructured into four companies and the company that went to secure this refinancing was brand new. It was only created in and around November of 2018 and therefore it had no history of profit and loss, no history of earnings, no history of payment of taxation, so that for this reason, Madam Speaker, because you had an old company that was not in very good shape, a brand-new company that has no record, no track record per se, I think it was a fantastic achievement on the part of the board of these companies.

The other thing that must be said, Madam Speaker, is that Paria Fuel Trading, a start-up company that began towards the end of November, which imports fuel, gasoline, diesel, aviation fuel, et cetera, sells about 50 per cent of what it imports in Trinidad and Tobago and distributes the other 50 per cent, more or less, to the region was virtually profitable from inception. The profit is not high, it is a margin business, but Paria Fuel Trading I am told was profitable almost from the beginning.

Heritage Petroleum, a start-up company as well, which had to take over all of Petrotrin's oilfields, pipelines, offshore platforms, production facilities, they had to start again from scratch, from the 1st of December with a much smaller work force, completely different system. Madam Speaker, they had a small loss in the first two months of operation but I am happy to announce that as of today in June, Heritage Petroleum is also profitable. [*Desk thumping*] So we have come from a situation where we had a heavily encumbered—[*Crosstalk*] Madam Speaker, [*Crosstalk*] Madam Speaker, I would seek your protection. “This grumbling, I just cyah take it at seven o'clock in the night.”

Hon. Member: Well, go home.

Hon. C. Imbert: I am seeking your protection.

Madam Speaker: Hon. Members, maybe having regard to what the hon. Minister is reporting, maybe somebody might wish to move the proper Standing Order and make an interjection and maybe he will be gentlemanly enough to allow. Okay?

Hon. Member: No!

Madam Speaker: But I would just warn that we can be anticipatory. So maybe we can try. But I would like to hear the Member. Minister of Finance. [*Desk thumping*]

Hon. C. Imbert: Thank you, Madam Speaker. So as I said, Madam Speaker, the

company that we are resolving some amendments to the Petroleum Act, the Petroleum Production Levy and Subsidy Act—

Madam Speaker: Hon. Minister of Finance, your original 12 minutes are now spent. You now have 15 additional minutes of extended time if you wish. You may proceed.

Hon. C. Imbert: Thank you very much. Madam Speaker, Paria Fuel Trading, we need to regularize some of the definitions in the Petroleum Act and the Petroleum Production Levy and Subsidy Act. This does not affect, Madam Speaker, the retail price of motor fuels, the price of gasoline at the pump, the price of diesel at the pump, it does not affect that. But because previously there was not real history of importation of fuel and distribution it was a production facility. The law did not really cater for a trading company. So what we are about today is just to tighten up some of the definitions to include the definition of a trading company.

But I simply wish to say that we have gone from a situation where we had an integrated oil company which was exploration/production together with refining and marketing. So we had a company that did everything. It did exploration, it did oil production, it did oil refining and it did marketing of petroleum products. We have gone from that situation into a situation where we have a stand-alone production company, Heritage Petroleum, and a stand-alone fuel distribution company with the marketing side of the R and M, that was in the old Petrotrin, and we need to tighten up some of the language in the current legislation in terms of dealing with how we properly account for the subsidy and so on. If I go to the Schedule, and Madam Speaker, may I say the Attorney General has advised me that there were some typographical—

Mr. Al-Rawi: Yes.

Hon. C. Imbert:—some typographical errors?

Mr. Al-Rawi: Some printing errors.

Hon. C. Imbert: There are some printing errors, I am sorry, Madam Speaker. In the production of the Bill before the House there were some printing errors so we need to correct that and there is a list of amendments that has been circulated to Members. But it does not change the import, the purpose, intent and purport of the Bill because the principle remains the same, that we are now setting a price based on world market prices for gasoline, kerosene, auto diesel and so on, and it is based on reference. So there will be some amendments which we will take through at the committee stage. [*Crosstalk*] Okay, all right, no problem.

Dr. Gopeesingh: Thank you very much, Minister, for giving way. Just two issues, the loan that we are going to search for, whether it is \$400 million or X amount, who is going to stand the guarantee for that loan? Is it Trinidad Petroleum or Heritage or the State? That is number one. And did you seek to get a lower interest rate other than 9.2 per cent or so, did you do a market search to see if you could have gotten a lower interest rate than the 9 per cent; if you want to answer, we will appreciate that. Thank you very much.

Hon. C. Imbert: Madam Speaker, the original bond was not guaranteed by the State and it was not guaranteed either by the assets of the then Petrotrin. At the time the price of oil was so high, it was so, in those days it was upwards of \$140 a barrel, and therefore simply on cash flow, the lenders at the time were willing to lend the money without any guarantee from the State. This is one of the challenges that the new Petrotrin or the restructured company faced, because whereas 10 years ago or 12 years ago, the lenders were willing to finance this bond without a government guarantee, with prices of oil half or less of what they were 10 or 12 years ago, it was a serious challenge, it was very, very difficult for the company to secure the refinancing without a government guarantee. And that is why I have to

congratulate them, because this conditional commitment they have is without a government guarantee, believe it or not. There is no government guarantee for the refinancing as there was no guarantee for the original bond issue. [*Crosstalk*]

Well, it will be the companies will secure the Trinidad Petroleum, Paria Fuel Trading, their assets secure the loan, but there is no government guarantee. So it does not add to the public debt, it is not a contingent liability [*Desk thumping*] and it is not part of the national debt. And that is why I must, we must gave credit where credit is due, to go outside there in this guava season with oil at \$50 and \$60 and so on, and with a company that has had a history of losses for so long to get financing of US \$850 million, that is not a small sum of money. That is a significant sum, that is over TT \$5 billion. And to get that without a government guarantee they must be congratulated.

And the interest rates, firstly the Government did not negotiate this. The company did, but we felt that in the spirit of the new restructured organization we should allow them to go ahead and do the financing, get some credibility in the market and so on. And I think they did very well to get these reductions in the interest rate, on the loans side, because it did not appear possible at the beginning and I think they did a fairly good job in terms of the reductions that they got—the 150 basis points and the 50 basis points and even the swap I think they did an excellent job.

And I want to make a point, when I was in Washington in April and we met with some experts that deal with credit ratings of countries, ex-Moody's, ex-Standard & Poor's employees who are consultants now, they told us that when they worked at the rating agencies in the past and they were rating Trinidad and Tobago, and this goes back even to the time of the previous Government, and they would rate Trinidad and Tobago as a sovereign nation, the credit rating was well into the investment grade.

7.15 p.m.

But when you add in Petrotrin, Petrotrin dragged our rating down three and four points in the rating. In fact, on the last occasion, Petrotrin dragged us out of the investment grade into what is called the speculative grade. So that Petrotrin has been quite a burden on this country and people do not realize that; that now that the Petrotrin problem is solved, or is being solved, it is going to eventually—not immediately because, again, the rating agencies will have to look at Heritage and Paria for a little while to see how they are going to perform, make sure they make their loan payments, and so on. But it is going to improve the country's credit rating. The national credit rating is going to be improved because of the things that are being done with Petrotrin—the restructure. [*Desk thumping*]

And so, Madam Speaker, as I said, this Bill is simply tightening up some definitions on how we calculate the subsidy and how we define pricing and introducing the concept of a trading company and, as I said, there are some amendments which we will take our time with at the committee stage and explain them as best as we can. And therefore I beg to move, Madam Speaker.

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

Question put and agreed to.

Bill accordingly read a second time.

PROCEDURAL MOTION

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

Thank you very kindly, Madam Speaker. In accordance with Standing Order 15(5) I beg to move that the House continue to sit until the conclusion of the matters before it.

Question put and agreed to.

**MISCELLANEOUS PROVISIONS
(PETROLEUM, PETROLEUM PRODUCTION LEVY AND
SUBSIDY AND INCOME TAX) BILL, 2019**

Bill committed to a committee of the whole House.

House in committee.

Madam Chairman: Members, just for your guidance, having regard to the amendments which have been circulated, consideration of clause 1 shall be deferred until we consider the proposed amendment to clause 4. So we will do the Long Title and then we will go to clause 2. [*Interruption*] The Long Title is done last, in any event, so we are going straight to clause 2. Okay?

Clause 2.

Question proposed: That clause 2 stand part of the Bill.

Dr. Gopeesingh: Minister, clause 2, C, as you have it there, and (b)—

Madam Chairman: Just one minute, please, Member for Caroni East. I think we had better allow the Minister to present and then—Okay? Thank you. Minister of Finance.

C. In subclause (1)(c)(ii) –

- (a) delete the words “after the definition of “marketing licensee”,” and substitute the words “in the appropriate alphabetical order,”; and
- (b) in the definition of “trading business”, delete the word “sale” and substitute the word “resale”.

D. In subclause (2)(b), Insert after the words “FIFTH SCHEDULE”, the words –

“Ex-terminal 1. (1) The ex-terminal price of each of the petroleum price (28/1987) products set out in this Schedule is determined by the

application of market prices and inclusion of relevant duties, fees and costs.

Formula for arriving at price of petroleum product (2) When the price of a petroleum product is in United States currency per U.S. gallon it shall be multiplied by 0.26417 in order to arrive at the price per litre.

Rate of exchange (3) When converting from United States currency to Trinidad and Tobago currency, the rate of exchange shall be the average of the commercial bank selling rate quoted by the Central Bank of Trinidad and Tobago for Sight Drafts on New York for the corresponding calendar month.

Price of last preceding day to be taken into account in certain circumstances (4) If on account of Sundays, holidays or any other reason the price of any of the petroleum products set out in this Schedule or the rate of exchange is not ascertainable for any day then the price or rate of exchange for the last preceding day for which such price or rate of exchange is ascertainable shall be used.

Wholesale price of petroleum products 2. The wholesale price of petroleum products listed hereunder is as follows:

	<i>Petroleum</i>	<i>Trinidad and</i>	
[250/2004	<i>Products</i>	<i>Tobago</i>	
253/2005		<i>cents</i>	<i>per</i>

		<i>litre</i>	
		Exclusive of VAT	Inclusive of VAT
144/2008			
354/2012			
191/2015]			
	Unleaded Premium Gasoline 95 RON	489.111	550.250
	Unleaded Super Gasoline 92 RON	419.778	472.250
	Unleaded Regular Gasoline 83 RON	211.611	238.062
	Domestic Kerosene	118.333	133.125
	Auto Diesel	286.111	321.875

Retail price of 3. Except as provided in paragraph 4, the retail price of petroleum products listed hereunder is as follows:

petroleum products	<i>Petroleum Products</i>	<i>Trinidad and Tobago per litre</i>	<i>cents</i>
[250/2004			
253/2005	Exclusive of VAT		Inclusive of VAT
144/2008			
354/2012			
191/2015]			
	511.11		575.000
	1		
	441.77		497.000
	8		
	231.11		260.000
	1		
	133.33		150.000
	3		
	303.11		341.000
	1		

Retail price of 4. The retail price of the petroleum products listed in Appendix A and sold by a person carrying on

petroleum products in certain cases Appendix A, Appendix B (174/2003 250/2004	marketing business - (a) to an associated person (this expression here including one company that exercises or is entitled to exercise control directly or indirectly over the affairs of another and any company the majority of the shareholding of which is held by more than one other company similarly so controlled); (b) to a person carrying on production business, trading business or refining business or all,
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shall be at price equal to the ex-terminal price plus the sum specified in Appendix B for each such petroleum product.”.

Mr. Imbert: Thank you, Madam Speaker. Madam Speaker, there was a printing error with the Schedule—

Mr. Al-Rawi: We are doing clause 2 first.

Mr. Imbert: Yeah, I know, so I am just saying that as an opening point. When you go to the original Bill on page 2, clause 2(1)(c), what do you call that—*[Interruption]* subparagraph (ii)—“ah getting some training here”—the current Bill as it stands has that we are inserting after the definition of “marketing licensee” the following definition which is the definition I spoke about “trading business”. And we are taking that out and we are replacing that with “in the appropriate alphabetical order”. It is simply a formatting change, so I do not know if the Member had a question.

Dr. Gopeesingh: Not on that aspect. I just wanted to ask, the issue of changing it from “sale” to “resale”, could you give a little—

Madam Chairman: All right. So let us just go one by one. So we are in clause 2—

Dr. Gopeesingh: (a).

Madam Chairman:—where we are looking at (1)(c)(ii). 2(a), I think that is what the Minister just explained.

Dr. Gopeesingh: Right.

Madam Chairman: There is no comment on that?

Dr. Gopeesingh: No.

Madam Chairman: Okay. So, Minister, we are now going on to the (b).

Dr. Gopeesingh: (b) part.

Madam Chairman: And I believe that is where the Member for Caroni East has a question.

Dr. Gopeesingh: Yes. He can explain why he moved it from “sale” to “resale.”

Madam Chairman: That is why I said, Minister, we are going on to the amendment at (b).

Mr. Imbert: Madam Chairman, I got this on my table today. I am assuming this is the correct version of the Bill, and this says “resale”, but the AG has one that says “sale”. [*Crosstalk*] Could we just double-check and see what Bill—

Mr. Al-Rawi: So Madam Chair, we are just on the point of making sure that in clause 2(1)(c)(ii), that the definition of “trading business” has the word “resale” in it.

Hon. Members: Ours have “sale”.

Mr. Al-Rawi: Yours have “sale”, as did mine.

Madam Chairman: Yes, so does mine.

Dr. Gopeesingh: So you are changing it—

Mr. Al-Rawi: No. What has happened is that on our desk today we received a

copy of what appeared to be a Bill which has the word “resale” in it. I do not know where that came from. So I want to make sure that what is before us on second reading has the word “sale” in it and not “resale”.

Mr. Young: The one I got on my desk has “sale”. [*Crosstalk*]

Dr. Gopeesingh: In your amendments, Minister, you have—

Madam Chairman: So, I am not sure which one the Minister of Finance has, but the one that has just been passed to me does not have “resale”. That is where “resale” will go, where the arrow is.

Dr. Gopeesingh: Madam Chair—

Madam Chairman: One minute, please, Member for Caroni East. Let us just make sure what we are all doing here. [*Crosstalk*] Okay. So just let the Minister present what the amendment is and then I will call upon you, Member for Caroni East.

Mr. Imbert: It was necessary to use the word “resale” because you are purchasing it and you are re-selling it. Simple as that.

Dr. Gopeesingh: So what you have in the amendment here is what you really want to do—

Mr. Imbert: Yes.

Dr. Gopeesingh: Substitute the word “resale”—

Mr. Imbert: For “sale”.

Madam Chairman: No—

Dr. Gopeesingh: Because you are purchasing and re-selling.

Madam Chairman: Substitute the word “sale” by the word “resale”.

Mr. Imbert: Remove “sale” and substitute it with “resale”.

Dr. Gopeesingh: Because you are re-selling.

Mr. Imbert: Correct.

Dr. Gopeesingh: All right, fine. You explained it. I appreciate that.

Mr. Imbert: No, I am all right. “I doh know what dem quarrelling about.”

Dr. Gopeesingh: No, but you had some confusion about one Bill and another Bill.

Mr. Imbert: Well, look at this one—

Madam Chairman: Minister, could you present your amendment to subclause (2)?

Mr. Al-Rawi: D.

Mr. Imbert: Okay. In amendment D we are inserting the correct Fifth Schedule now. There was a printing error with the Fifth Schedule. And it is self-explanatory, but I do not know what sort of explanation Members would want.

Madam Chairman: Okay. So just for clarification, there is here a Fifth Schedule marked “Appendix A”. Are you deleting that in its entirety? Or is what you are now proposing going ahead of it?

Mr. Al-Rawi: Madam Chair, it goes ahead.

Madam Chairman: All right. And therefore, Appendix A remains.

Mr. Al-Rawi: Yes, Madam Chair. So what happened was that in the formatting that the printing engaged in, what was sent to the Parliament omitted a section which should be in the Schedule. So the material which is circulated in this amendment is inserted into what appears into the Bill. It goes ahead of it. It goes between Fifth Schedule and Appendix A.

Mr. Lee: Madam Chair, I just want to put on the record that this insertion of this Schedule before Appendix A is a major Schedule and we did not get a chance at all—I am just putting it on the record—during the debate to debate this critical Schedule, because it has a set of formulas, numbers, that, you know, I guess we will have to deal with that in the Senate.

Mr. Al-Rawi: Madam Chair, if we could address that. The reflection upon these

amendments is really a technocratic reflection. So the price points established for petroleum products, Trinidad and Tobago positions—[*Crosstalk*]

Madam Chairman: Excuse me. I think we all need clarification so I just ask if maybe we could hear the Attorney General so that the discussion could be facilitated. Attorney General.

Mr. Al-Rawi: So Madam Chair, if we look at what is being inserted into the Fifth Schedule, the Fifth Schedule, as printed, would not make sense. It just starts with Appendix A and Appendix B. Appendices must come, obviously, on the back of a structure from which they are referred. What we are inserting here is the very rubric of the ex-terminal price, which is the first point that we put in. We then say what the formula for arriving at that price is going to be. We then state what the rate of exchange will be, the price of last preceding date to be taken into account, the wholesale price of petroleum products, the retail price of petroleum products, the retail price of petroleum products as referred to in Appendix A and Appendix B. So it is only with this formula that it makes sense. The input of Members into this is really something which can have no effect in a debate, and I will say that respectfully this way, because this is derived by a technocratic examination by the experts in the Ministry of Energy and Energy Industries who would therefore have the price points for unleaded premium gasoline, unleaded super gasoline, et cetera, as set out in the Schedule. So it is something which we are accepting by way of the technocratic advice coming from the industry experts. Very importantly, it results in achieving what the Minister of Finance undertook to the country, which is that the price would be managed in a particular way, and this is therefore certification of that price.

Madam Chairman: Member for Caroni East.

Dr. Gopeesingh: Attorney General, we hear you and we are hearing your

rationale, and bringing a long list of new things onto this Schedule, we are having a new Fifth Schedule which is very detailed with a number of points, and you are asking us to accept it because the people who are doing the calculations, we might not be able to understand their methodology for calculations, but I beg to differ, Attorney General. We might have been in a position to seek assistance from experts in guiding us, whether this is acceptable or not acceptable. So you are saying that we might not be able to understand that, so that is why you are allowing this to go on, because your technocrats are saying this is the way to calculate it. But we may have differed from it if we had—

Mr. Imbert: Member for Caroni East, I have a suggestion.

Dr. Gopeesingh: Go ahead.

Mr. Imbert: Let us go through them one by one. Okay?

Dr. Gopeesingh: Well, no. I am saying I am not in a position—

Mr. Imbert: I know, so let us try to—

Dr. Gopeesingh: But I might have been able to get some appreciation from a technocrat myself.

Mr. Imbert: Madam Chairman, allow me to go through each part of the amendment to clause 2—

Dr. Gopeesingh: I think you understand what it is I am getting at.

Mr. Imbert:—and explain each part. Okay?

Madam Chairman: I think that may assist us greatly.

Mr. Imbert: So in D:

“The ex-terminal price of each of the petroleum products set out in this Schedule is determined by the application of market prices and inclusion of relevant duties, fees and costs.”

Now, the market prices are given in the Appendix A in the original Bill, and

as you will see they are all either US Gulf Coast prices or Caribbean Cargoes prices. So that in order to work out the ex-terminal price, you take the market price which is US Gulf Coast Waterborne “Unl 89”, “Unl 87”; US Gulf Coast Waterborne “Jet/Kero 54”; Caribbean Cargoes “No. 6 2.0% S”. That is the market price. And you add on relevant duties which would be import duties and so on, fees and costs which would be the cost charged by Paria Trading to import, store, handle, distribute, the fuel. So that is the meaning of 1(1) after D on the first page. Let us move over to the next page now, Madam Chairman, (2) of D:

“When the price of a petroleum product is in the United States currency per US gallon it shall be multiplied by 0.26417 in order to arrive at the price per litre.”

What that means is that, as we all know, or should know—as we all should know—that there are approximately four litres in a gallon, and the price in the United States is posted in gallons, because the United States is not a metric country. So that you have to take the United States price US Gulf Coast and so on, and multiply it by 0.26417, which is the international conversion from US gallons to litres, to get the price in litres.

Dr. Gopeesingh: Okay, we understand that.

Mr. Imbert: I am just going through one by one. Okay? Some of them are self-explanatory, some of them may need a little more work:

“(3) When converting from United States currency to Trinidad and Tobago currency, the rate of exchange shall be the average of the commercial bank selling rate quoted by the Central Bank...for Sight Drafts on New York for the corresponding calendar month.”

And this is simply to set the rate of exchange because, again, we are buying fuel in US dollars, so there must be a conversion. We are selling fuel in TT dollars

at the pump and also wholesale to NP and UNIPET. So you have to convert from US to Trinidad and Tobago dollars for the price at the pump, and therefore you must have a reference, and the reference that is being used here is the average of the bank rate in Trinidad as quoted by the Central Bank on a daily basis and the rate for Sight Drafts on New York for the corresponding months.

Dr. Gopeesingh: Can I ask a question? But the last line said “for the corresponding calendar month”. But let us say you are buying on the 10th of February, how are you calculating the average for the corresponding month of February?

Mr. Imbert: I am going to tell you. The rate of exchange at the commercial banks is quoted on a daily basis. Okay? So in Trinidad and Tobago, if you go on the Central Bank’s website, every day you will see a rate of conversion from US dollars to TT dollars. If you go on Royal Bank’s website, you go on Republic Bank’s website, you go on FCB’s website, you will get a rate of conversion from US dollars to TT dollars.

Dr. Gopeesingh: But my issue, Minister—

Mr. Imbert: I am not finished.

Dr. Gopeesingh: All right.

Mr. Imbert: But the Sight Drafts are posted on a monthly basis. So you are taking a monthly rate and you are averaging it out with a daily rate to get the actual rate on the day itself. So the Sight Draft rate will not change for the entire month but the commercial bank selling rate will change every day.

Dr. Gopeesingh: Can you explain, the Sight Draft for the corresponding month is determined at the beginning of the month, or when?

Mr. Imbert: It is in the month. It is determined in the month. Yes, beginning of the month.

Dr. Gopeesingh: The beginning of the month?

Mr. Imbert: Yes, beginning of the month.

Dr. Gopeesingh: Because, if you say any part of the month, it would be—

Mr. Imbert: No, the beginning of the month.

Mr. Al-Rawi: Well, it is there for the corresponding month.

Mr. Imbert: It is for the month. Okay? So let us say the 10th of February, it would be the Sight Draft rate for the month of February which would be posted on the 1st of February.

Dr. Gopeesingh: Okay.

Mr. Imbert: Okay? In New York. All right? So let us move on now to item 4:

“If on account of Sundays, holidays or any other reason the price of any of the petroleum products set out in this Schedule or the rate of exchange is not ascertainable for any day then the price or rate of exchange for the last preceding day for which such price or rate of exchange is ascertainable shall be used.”

Now, I do not know if you are aware, but the conversion rate for US dollars to TT dollars is posted Monday to Friday. It is not posted on a Saturday and Sunday. However, the Sight Draft rate will run for the whole month. So, if they are dealing with this product on a Sunday, for example, they will have to use the Friday rate for the conversion, but the Sight Draft rate in New York will remain the same. Okay? Right.

So let us go now to 2:

“The wholesale price of petroleum products listed hereunder is as follows:”

And you go through the actual ones: Unleaded Premium Gasoline 95 RON, exclusive of VAT, 489.111; inclusive of VAT, 550.250. Unleaded Super Gasoline

92 RON—and that is really premium and super—419.778 cents; 472.250 cents when you add VAT. Unleaded Regular, well, we do not produce that at this time. Hopefully, when the refinery operations resume we can have a supply of regular gasoline again. So we are “taking in front”, as it were, using the local parlance: 211.611 cents, not inclusive of VAT; 238.062, VAT inclusive. Domestic Kerosene, 118.333 cents; 133.125, VAT inclusive. And Auto Diesel, 286.111 without VAT and 321.875 with VAT. And this is wholesale price. There is a difference between wholesale and retail.

Dr. Gopeesingh: Madam Chair, can I ask the Minister—

Mr. Imbert: Sure.

Dr. Gopeesingh: Is the wholesale price of purchase or resale?

Mr. Imbert: Sale to UNIPET and NP.

Dr. Gopeesingh: So it is the resale price.

Mr. Imbert: All right, resale, yes, because we have changed “sale” to “resale”. Quite correct. Okay?

Dr. Gopeesingh: Okay, thank you.

Mr. Imbert: And now you come to what you will see at the pump, which is in 3, where you now have what the consumer buys at the pump. And let me use the VAT inclusive prices: 575 cents or \$5.75 per litre of premium; 497 cents or \$4.97 per litre of Super; 260 cents per litre of Regular when it is available again; \$1.50 cents per litre of domestic kerosene and \$3.41 of Auto Diesel. These are now the retail prices that the consumer pays in the gas station.

Dr. Gopeesingh: Can I?

Mr. Imbert: Sure.

Dr. Gopeesingh: So in other words—

Madam Chairman: Just a minute. So I will take the Member for Caroni East and

then I will take the Member for Pointe-a-Pierre.

Dr. Gopeesingh: Minister, so the wholesale price you are quoting here to sell to UNIPET and to NP, let us say unleaded premium is 489.111 but at the pump is 511.111, so these—

Mr. Imbert: You use the VAT inclusive price.

Dr. Gopeesingh: Yeah. So these companies will be making a little—

Mr. Imbert: A margin.

Dr. Gopeesingh: A margin—

Mr. Imbert: Yeah.

Dr. Gopeesingh:—from 489 to 511, about 22 cents approximately.

Mr. Imbert: Well, if you use the VAT inclusive price, it is easier that way: 550 for premium wholesale and 575 for premium retail. So they make 25 cents. Okay?

Dr. Gopeesingh: Yeah. Well, I am glad you—this has come on because the general population wants to know—

Mr. Imbert: It is all right.

Dr. Gopeesingh:—what they are buying at and what they are selling at and I think this is—

Mr. Imbert: Okay. I am glad that you are glad.

Madam Chairman: Member for Pointe-a-Pierre.

Mr. Lee: Minister, I notice aviation prices are not here? Is there a reason? Or is it in another Schedule somewhere?

Mr. Imbert: We have not received any information on that, but I can tell you what the reason most likely is. We did not produce aviation fuel. It was always imported. But I will double-check that.

Mr. Lee: Well, now that we are importing it through Paria—

Mr. Imbert: Well, you do not need to do anything, because—

Mr. Karim: Are you saying that we never produced aviation—

Madam Chairman: One minute, please, Member for Chaguanas East.

Mr. Imbert: I cannot answer that.

Madam Chairman: I will take Member for Tabaquite and then Member for Chaguanas East.

Dr. Rambachan: It is the same question because it is important—

Madam Chairman: The same question?

Dr. Rambachan: No, it is important in this discussion.

Mr. Karim: I just—oh, sorry.

Madam Chairman: Okay. So Member for Pointe-a-Pierre, you are completed?

Mr. Lee: Well, I think the Member for Chaguanas East—

Madam Chairman: Member for Chaguanas East.

Mr. Karim: Thank you, Madam Chairman. I just wanted as a confirmation of what you said, that we did not produce—

Mr. Imbert: Listen, I am not going to state that definitively, but you also have to realize that this is all for the purpose of determining the subsidy. Because what we are doing is we are amending the Petroleum Act and we are amending the Petroleum Production Levy and Subsidy Act, and the purpose of these definitions and the Schedule is to determine what the subsidy is. Because the price that the consumer will pay for diesel is \$3.41; super, \$497, but I am not aware that aviation fuel is subsidized. You follow?

Mr. Al-Rawi: Market price.

Mr. Imbert: Yeah, market price.

Mr. Karim: But it used to be produced in the refinery.

Mr. Imbert: I am not disputing that. But I am fairly certain it is not subsidized. So there is no requirement to have a formula to work out what the price of aviation

fuel—

Mr. Karim: Is that why it is not there?

Mr. Imbert: I can only assume so. But I will get clarity for that. You see, this has come from the Ministry of Energy and Energy Industries and it seems logical that that is the reason why it is not here. Okay?

Madam Chairman: Member for Tabaquite, do you still have a question?

Dr. Rambachan: No. It was taken up by the Member for Pointe-a-Pierre.

Madam Chairman: Okay. Member for Caroni East?

Dr. Gopeesingh: No, I am all right, Madam Chairman.

Madam Chairman: Member for Chaguanas East? Member for Pointe-a-Pierre? Member for Barataria/San Juan?

Dr. Khan: What is the loss—[*Crosstalk*]

Madam Chairman: Okay. So, Minister of Finance.

Mr. Imbert: Well, there is one more thing. The margin we are giving the re-seller—let us use that as a term—is 8 cents. So Paria Trading gets 8 cents for every litre that it buys and sells. Okay? So that is the purpose of 4. And they would sell the items in Appendix A and they will get, if you look at the last paragraph of the last page of the list of amendments, you see:

“...shall be at price equal to the ex-terminal price plus the sum specified in Appendix B for each...product.”

They get an 8 cents margin on each one. So that is what we are paying Paria for the fuel that it distributes to NP and UNIPET, 8 cents per litre.

Madam Chairman: Member for Chaguanas East.

Mr. Karim: It is just semantic, really. I just wanted to get an idea. Item No. 4 where you had:

“The retail price of the petroleum products listed in Appendix A and

sold by a person...”

Is that what is normally used, that jargon, or is it an “entity”? So that it does not have to be “a person”? Or unless you are deciding a company could be a—

Mr. Al-Rawi: “A person” is a term of law.

Mr. Imbert: You can have a corporate person.

Mr. Karim: I just want to know whether it is acceptable.

Mr. Imbert: It means “corporation”. Okay?

Madam Chairman: Member for Pointe-a-Pierre.

Mr. Lee: Just a clarification, Minister, if you go back to the first page, D, “Ex-terminal price (28/1987)”, is that a date or, could you just—

Mr. Imbert: That would be—

Mr. Lee: Because this is amended. This is a new Schedule you are including.

Mr. Imbert: It is the marginal note in the existing Schedule in the—it can come out, if necessary. No need to have it. You want to take it out?

Mr. Al-Rawi: But they are useful in terms of reference, because when you are going back in law to trace things it helps you to find things. So I would recommend that it stays.

Mr. Imbert: In the existing Act—if you look at the existing Act at the side, on the right-hand side, they will tell you all the years when amendments were made to this particular Schedule. So this was the 28th such thing in 1987. Okay? 28th such Order, I assume?

Mr. Al-Rawi: Yes.

Mr. Imbert: This would be an Order, right? So it is Order No. 28 of 1987. So as the AG has said, it is helpful for research purposes to leave it in. Okay? And certainly, I will get the clarity on the aviation fuel but I am pretty sure that is what it is. There is no subsidy on aviation fuel. Okay? Because we sell it to foreign

airlines, not you know, it is used. It is taken away from Trinidad and Tobago so you do not want to subsidize a foreign airline.

7.45 p.m.

Mr. Lee: Actually Caribbean Airlines used to get a subsidy.

Mr. Imbert: That is different. They do not get it at the pump, they get it by agreement, by an arrangement with the Ministry of Finance so they pay for the fuel at the world market prices and then they apply to the Ministry of Finance, but that is only under certain conditions when oil price reaches a certain level. Okay?

Madam Chairman: Member for Naparima.

Mr. Imbert: You wanted to say something?

Mr. Charles: My understanding is that aviation fuel is run 80 to 87 octane, looking here, and we used to sell that as regular long ago, but since it is no longer in the local market and it is in the aviation fuel and therefore there is no fixed price—

Mr. Imbert: So it fluctuates with the world market price.

Mr. Charles: It fluctuates and therefore—

Mr. Imbert: There is no subsidy.

Mr. Charles: You are correct, yeah.

Mr. Imbert: So there is no need to put it here. Thank you very much for that clarification. So we are all clear now? The reason why—[*Crosstalk*] “No, ah not arguing, ah glad for the help.”

Madam Chairman: I guess what this shows is that we recognize the value from each other.

Mr. Imbert: I glad for the help.

Mr. Al-Rawi: Madam Chair, I recognize that value from Naparima today. What! I am amazed.

Mr. Charles: I would not accept it, I am scared. [*Laughter*]

Mr. Imbert: “Yuh not taking it from him?”

Mr. Al-Rawi: I am amazed. I am amazed.

Mr. Charles: I am scared actually.

Mr. Al-Rawi: Genuinely amazed.

Madam Chairman: Okay. Minister of Finance, have we dealt with all the amendments to which—

Mr. Imbert: I believe so. We have to go back to the front.

Madam Chairman: No, no, no, I am still under clause 2. Have you presented all the amendments under clause 2? That is what I am asking.

Mr. Imbert: I believe so. Yes, Madam Chairman.

Madam Chairman: And we turned the page?

Mr. Imbert: Yes, Madam Chairman. I reached the end.

Madam Chairman: Okay. [*Interruption*] No, we have not reached there as yet. We are still on clause 2.

Question put and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Clause 4.

Question proposed: That clause 4 now stand part of the Bill.

E. Delete this clause.

Madam Chairman: Minister of Finance.

Mr. Imbert: We are taking out clause 4 because we want to revisit what it is we are doing to the Income Tax Act and in any event, we have that Act in a committee which actually sat today, so I would just like to leave that alone for the time being.

Madam Chairman: All right. I believe Member for Caroni East, you have a

question? Member for Caroni East did not hear.

Dr. Gopeesingh: The second part. Why are you deleting it?

Mr. Imbert: Let us just leave it at the law as it exists at this point of time.

Dr. Gopeesingh: Why? Why did you not want to change it?

Mr. Al-Rawi: Madam Chair, if I could assist? Members will recall that we amended the Income Tax Act to turn the key of the Global Forum. We are awaiting on the confirmation of the Global Forum to come back. What we then did was we referred the clauses which were not supported by the Opposition to a Joint Select Committee to meet the other Global Forum Bills. So what we want to do is to just settle exactly what is going on in that arrangement. When we have that, we can consider it in the round. Today, we had the first meeting of the Joint Select Committee to consider that particular Bill, so we can deal with it as a whole unit.

Dr. Gopeesingh: So this will occur subsequent with that?

Mr. Al-Rawi: So if we have need to come back and treat with this, we can deal with it there.

Dr. Gopeesingh: Subsequent to that deliberation?

Mr. Al-Rawi: Yeah, yeah.

Mr. Imbert: Within that session—I cannot talk too much but it is in a committee but the Bills have been referred so it is public knowledge—it is an amendment to the Income Tax Act.

Dr. Gopeesingh: All right, so we will have to await those deliberations?

Mr. Imbert: Yes, yes, yes. We do not want to interfere with it now. Let us finish our business and then we will deal with a holistic approach to the Income Tax Act.

Dr. Gopeesingh: So that will change clause 1 as well?

Mr. Imbert: Clause 1?

Mr. Al-Rawi: Which is why we have deferred it.

Dr. Gopeesingh: Yeah, all right.

Mr. Imbert: It changes the title so this is now only a Bill dealing with petroleum production levy which is really what it should have been.

Dr. Gopeesingh: And you are leaving out the income tax?

Mr. Imbert: Yeah, yeah, it really sneaked in there. Okay, so we are taking back out.

Question put and agreed to.

Clause 4 deleted.

Madam Chairman: We now revert the clause 1.

Clause 1.

Question proposed: That clause 1 stand part of the Bill.

B. Delete this clause and substitute the following:

‘This Act may be cited as the Miscellaneous Provisions (Petroleum and Petroleum Production Levy and Subsidy) Act, 2019.’

Madam Chairman: Minister of Finance.

Mr. Imbert: Yes, Madam Chairman, I would like to propose the amendment as circulated where we are changing the title and by deleting the clause and substituting another one and the only difference is that the words “and Income Tax” come out. So this Bill will now just be dealing with petroleum and petroleum production levy and subsidy. That is it.

Question put and agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Long title of Bill A. Delete the long title of the Bill and substitute the words “AN ACT to amend the Petroleum Act, Chap.

62:01 and the Petroleum Production Levy and Subsidy Act, Chap. 62:02”.

Madam Chairman: Hon. Members, due to the amendments that have been made to the Bill, the title of the Bill has to be amended to read as follows:

An Act to amend the Petroleum Act, Chap. 62:01 and the Petroleum Production Levy and Subsidy Act, Chap. 62:02.

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

House resumed.

Hon. C. Imbert: Thank you, Madam Speaker. I wish to report that the Bill “An Act to amend the Petroleum Act, Chap. 62:01, the Petroleum Production Levy and Subsidy Act, Chap. 62.02 and the Income Tax Act—sorry, I am reading the wrong thing.

Madam Speaker: Yes.

Hon. C. Imbert: I am terribly sorry.

Madam Speaker, I wish to report that an Act to amend the Petroleum Act, Chap. 62:01, the Petroleum Production Levy and Subsidy Act, Chap. 62:02 and the Income Tax Act, Chap. 75:01, Bill, 2019 was considered in committee of the whole and approved with amendments. I specially report that the title of the Bill was amended to read:

An Act to amend the Petroleum Act, Chap. 62:01 and the Petroleum Production Levy and Subsidy Act, Chap. 62:02.

I now beg to move that the House agree with the committee’s report.

Question put and agreed to.

Bill reported, with amendment, read the third time and passed.

ADJOURNMENT

UNREVISED

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

Madam Speaker, I beg to move that this House do now adjourn to Monday the 10th day of June, 2019, at 1.30 p.m. On that day, we will be doing the Miscellaneous Provisions (Financial Institutions, Securities and Insurance) Bill, 2019, the Miscellaneous Provisions (Tax Amnesty, Pensions, Freedom of Information, National Insurance, Central Bank and Non-Profit Organisations) Bill, 2019, and we will also be doing the amendments that were circulated today that came from the Senate.

Madam Speaker: Hon. Members, there is one matter that qualifies to be raised on the motion for the adjournment of the House.

Hon. C. Robinson-Regis: Madam Speaker, if I may? By agreement, that matter will be deferred until Monday.

Madam Speaker: Whip? Okay. Thank you. Hon. Members, the question is that this House do now adjourn to Monday the 10th of June at 1.30 p.m. All in favour say aye? Any against? The ayes have it. This House now do stand adjourned to Monday the 10th of June at 1.30 p.m.—

[Madam Speaker remains on her legs and Members stand]

[Interruption and crosstalk] So it is so refreshing after a long day for us to end in such a congenial mood.

Question put and agreed to.

House adjourned accordingly.

Adjourned 7.57 p.m.