

HOUSE OF REPRESENTATIVES*Tuesday, June 18, 2019*

The House met at 1.30 p.m.

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

Mr. Deputy Speaker: Hon. Members, I have received communication from the hon. Faris Al-Rawi, MP, Member for San Fernando West, who has requested leave of absence for the period June 14th to the 22nd, 2019; and from Mrs. Vidia Gayadeen- Gopeesingh, MP, Member for Oropouche West; Mr. Rushton Paray, MP, Member for Mayaro and Dr. Fuad Khan, MP, Member for Barataria/San Juan, who have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

**EDWARD PHILIP GEORGE SEAGA ON, PC
(CONDOLENCE BOOK)**

Mr. Deputy Speaker: Hon. Members, the fifth Prime Minister of Jamaica, the hon. Edward Philip George Seaga, passed on May 28, 2019. In this regard, the Jamaican High Commissioner, His Excellency Arthur H.W. Williams, has availed himself today for the signing by Members of the condolence book in the tribute of the Most Hon. Edward Seaga ON, P.C. He will be there at the beginning of today's sitting.

PAPERS LAID

1. Parent and Consolidated Audited Financial Statements of Point Lisas Industrial Port Development Corporation Limited for financial year ended December 31, 2018. [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]

To be referred to the Public Accounts (Enterprises) Committee.

UNREVISED

2. Ministerial Response of the Ministry of Finance to the Ninth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the State of Contract Employment in the Public Service. [*Hon. C. Robinson-Regis*]
3. Ministerial Response of the Ministry of Public Administration to the Ninth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the State of Contract Employment in the Public Service. [*Hon. C. Robinson-Regis*]
4. Ministerial Response of the Ministry of Labour and Small Enterprise Development to the Ninth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the State of Contract Employment in the Public Service. [*Hon. C. Robinson-Regis*]
5. Ministerial Response of the Ministry of Works and Transport 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*]
6. Ministerial Response of the Ministry of Education to the Eighth Report of the Joint Select Committee on Social Services and Public Administration on its First Follow-Up Inquiry into the Current level of Violence among Students in Schools with particular focus on Physical and Cyber Bullying. [*Hon. C. Robinson-Regis*]
7. Ministerial Response of the Ministry of Public Utilities to the Fifth Report of the Joint Select Committee on Finance and Legal Affairs on a Critical Assessment of the Waste Management Policies and Initiatives of the State (with specific focus on Solid Waste). [*Hon. C. Robinson-Regis*]

**JOINT SELECT COMMITTEE REPORTS
(Presentation)**

**Social Services and Public Administration
Treatment of Non-communicable Diseases**

The Parliamentary Secretary in the Ministry of National Security (Mrs. Glenda Jennings-Smith): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I have the honour to present the following report:

Tenth Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the Potential Benefits of traditional, complementary and alternative medicine in the Treatment of Non-communicable Diseases affecting the Trinidad and Tobago population.

**Local Authorities, Services Commissions and Statutory
Authorities (including the THA)
Public Service Occupational Safety and Health Compliance**

The Minister of State in the Ministry of Education (Hon. Dr. Lovell Francis): Mr. Deputy Speaker, good afternoon. I have the honour to present the following report:

Twelfth Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into Occupational Safety and Health Compliance within the Public Service.

**Committee of Privileges
(Allegation of Threatening Words)**

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Mr. Deputy Speaker, I have the honour to present the following report:

Report of the Committee of Privileges of the House of Representatives on the Allegation of threatening words.

URGENT QUESTIONS**Flooding in Central Trinidad
(Measures to Reduce)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Mr. Deputy Speaker. On behalf of the Member for Oropouche West to the Minister of Works and Transport: With regard to the flooding that occurred on Monday June 17, 2019, could the Minister indicate whether any measures to reduce flooding have been initiated in Central Trinidad?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, the flooding that occurred on Monday June 17, 2019, was street or flash flooding as a result of the adverse weather condition. Mr. Deputy Speaker, I want to just start by complimenting the Drainage Division, the staff of the Drainage Division who, at the beginning of the dry season, started a very ambitious desilting programme with over 375 projects in three phases. To date, phase one has been completed, phase two is about to be completed and phase three would have started about a week ago. In the central area alone, there is upward of some 75 projects; 42 of these projects have been completed, 14 are to be completed by this weekend and a further 20 to 25 projects are to be started by next week. I thank you.

Mr. Deputy Speaker: I recognize the Chief Whip.

Mr. Lee: Thank you, Mr. Deputy Speaker. Minister, you mentioned phase one, two and three but you did not mention what phase two is, and you have not started phase two as yet. Could you describe what is phase two?

Sen. The Hon. R. Sinanan: Yes, I did indicate phase one is completed; phase two should be completed by this weekend. Phase two started some time ago and phase three will be started next week, a very ambitious programme of over 375 desilting projects throughout Trinidad and Tobago. Thank you. [*Desk thumping*]

Mr. Deputy Speaker: I recognize Caroni East.

Dr. Gopeesingh: Hon. Minister, would you be kind enough to indicate whether, in the three phases that you have mentioned, whether that includes the Caroni River and the sluice gates and the Guayamare River?—if you would be kind enough.

Sen. The Hon. R. Sinanan: As I said, it is 375 projects throughout Trinidad and Tobago. Apart from those 375 projects, we do have some desilting works going on in Caroni, a major Caroni desilting programme is on the way, and that would have helped us significantly yesterday in the Greenvale area. So, we do have a gate programme, again, the sluice gates programme which is outside the 375 projects. So the Ministry of Works and Transport, Drainage Division, that is why I started by congratulating them, they did put out a very ambitious programme and they are on target to have everything sorted out. Thank you.

Madam Speaker: Hon. Member, only two supplemental questions are allowed at this stage.

**Venezuelan Nationals Detained Recently
(Deportation Arrangements)**

Mr. David Lee (*Pointe-a-Pierre*): Thank you, Mr. Deputy Speaker. Question No. 2 to the Minister of National Security on behalf of the Member for Oropouche West: With regard to recent reports indicating that three Venezuelan nationals were detained during a police exercise over the weekend, could the Minister indicate whether any arrangements have been made to deport those individuals who were also reported to be in Trinidad illegally?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I am pleased to see that they continue to have this unnatural affiliation and attraction to what is going on with

Venezuelan nationals, but as the Government has said, time and time again, any non-national of Trinidad and Tobago who commits any criminal activity in Trinidad and Tobago will be dealt with in accordance with the laws of Trinidad and Tobago. The registration process for the Venezuelans is completed. We said beforehand that we will be applying the laws of Trinidad and Tobago to all after the registration process, all of the Venezuelans, and that is exactly what has been done. I spent some time yesterday evening in my office signing a number of deportation orders and I do not want to say anything further with respect to those deportations.

Mr. Deputy Speaker: Chief Whip.

Mr. Lee: Thank you, Mr. Deputy Speaker. To the Minister, in a follow-up question he stated that the registration process of all Venezuelans has been completed, could he state what is the final number of all registration were completed, please?

Hon. S. Young: Mr. Deputy Speaker, that information, as I have also said, along with the cost of the exercise, will be provided as soon as we receive the report, because what we intend to do is provide particulars as to how many men, women and children, and I do not have that information right now.

Government Primary Schools (Status of Funding)

Ms. Ramona Ramdial (*Couva North*): Thank you. To the Minister of Education: Given reports that there are an estimated eighty-six Government primary schools that are not receiving the required funding from the Ministry of Education to buy basic supplies, could the Minister state what is being done to urgently deal with this issue?

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Mr. Deputy Speaker. I am not aware, first of all, that there are some 86 Government

primary schools that are not receiving the required funding. The information that is available to me is that out of a budget of \$4 million, the sum of \$3,150,000 was disbursed to 126 Government primary schools earlier in the financial year. However, an additional request for releases in the sum \$850,000 has been submitted to the Budget Division in order to meet shortfalls which have arisen to purchase supplies. Thank you very much.

Mr. Deputy Speaker: Supplemental, Couva North.

Ms. Ramdial: Thank you. Minister, are you saying that the President of TTUTA is misleading the nation with his information?

Mr. Deputy Speaker: Minister of Education. [*Crosstalk*] Members, please, please, both sides.

Hon. A. Garcia: Mr. Deputy Speaker, I have to rely on the information that is given to me by the Director of Finance and Accounts at the Ministry of Education. I cannot impute any motives to anybody. All I can do is to give an answer to the question based on the information that I have. Thank you very much. [*Desk thumping*]

Madam Speaker: Supplemental, Member for Caroni East.

Dr. Gopeesingh: Minister, would you be kind enough to indicate if the denominational primary schools have received their funding since this is part of the Government primary schools? It is part of the 425 primary schools.

Mr. Deputy Speaker: Minister of Education.

Hon. A. Garcia: Thank you very much, Mr. Deputy Speaker. In terms of the denominational schools, the termly grant to the assisted primary schools, that is the denominational schools, that has been paid for terms one and two, and the Ministry of Education is awaiting releases to pay term three. And may I add, the annual requisites, again with respect to the denominational schools, in the amount of

\$8,499,752 was paid to all primary schools.

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

Senate Amendments

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

I beg to move:

That the Senate amendments to the Miscellaneous Provisions (Tax Amnesty, Pensions, Freedom of Information, National Insurance, Central Bank, Companies and Non-Profit Organisations) Bill, 2019, listed in the Appendix be now considered.

Question proposed.

Question put and agreed to.

Mr. Deputy Speaker: Leader of the House and Chief Whip, we are in agreement, we take all the amendments together?

Assent indicated.

Senate amendments read as follows:

Long title:

After the words “the Judges Salaries and Pensions Act, Chap. 6:02;” delete the words “the Freedom of Information Act, Chap. 22:02;”.

Clause 1.

After the words “Pensions,” delete the words “Freedom of Information,”.

Clause 3.

In paragraph (a), after the words “inclusive of” delete the words

“personal allowance and”.

Clause 4.

- A. In paragraph (a), after the words “inclusive of” delete the words “personal allowance and”.
- B. Delete paragraph (b) and substitute the following paragraph:

“(b) in section 3A, by repealing subsections (1) and (2) and substituting the following subsection:

“(1) A person referred to in section 3(1) is eligible on every fifth anniversary of the date he ceased to be President for a revised pension equivalent to –

(a) the salary payable to the incumbent on that date; or

(b) three-fourths of the salary payable to the incumbent on that date, where he has exercised the option under section 3(2).”.

Clause 5.

- A. In paragraph (a), after the words “inclusive of” delete the words “personal allowance and”.
- B. In paragraph (b), delete the new section 4A and substitute the following new section:

“Review 4A. A person, including a retired Prime of Minister, is eligible on every fifth pension anniversary of the date he ceased to be Prime Minister for a revised Prime

Minister's pension equivalent to –

- (a) the salary payable to the incumbent on that date; or
- (b) three-fourths of the salary payable to the incumbent on that date, where he has exercised the option under section 4(2).”.

Clause 6.

- A. In paragraph (a), after the words “inclusive of” delete the words “personal allowance and”.
- B. In paragraph (c), delete the new section 11A and substitute the following new section:

“Review 11A. A person, including a retired of Judge, is eligible on every fifth anniversary pension of the date he ceased to be a Judge for a revised pension –

- (a) calculated on the basis of the pensionable emoluments payable to the incumbent on that date; or
- (b) at the rate of three-fourths of the revised pension payable under paragraph (a), where he has exercised the option under section 11(1).”.

Clause 7.

- A. Delete.
- B. Renumber clauses accordingly.

Clause 8.

In paragraph (b), insert after the word “prescribe”, the words “, except that an Order under this paragraph shall not affect a person who is registered under subsection (1) prior to the coming into force of the Order”.

Clause 9.

In subsection (7), delete the word “(1)” and substitute the word “(6)”.

Hon. Colm Imbert: Thank you, Mr. Deputy Speaker. I beg to move that this House agree with the Senate in the amendments to the Miscellaneous Provisions (Tax Amnesty, Pensions, Freedom of Information, National Insurance, Central Bank, Companies and Non-Profit Organisations) Bill and the following clauses, which we are taking together by agreement. In the first instance, the title of the Bill has to change, the original title of the Bill which would have been in the Explanatory Note and in the original long title had the words “Freedom of Information”. Since we deleted clause 7 last night in the other place, there is no longer any requirement to have the words “Freedom of Information” in the Bill. So the first amendment is after the words “Judges Salaries and Pensions Act” delete the words “Freedom of Information”. The second amendment, which is the short title, we are also deleting the words “Freedom of Information” after the word “Pensions”.

So that, Mr. Deputy Speaker, the title of the Bill will now be The Miscellaneous Provisions (Tax Amnesty, Pensions, National Insurance, Central Bank, Companies and Non-Profit Organisations). Mr. Deputy Speaker, I will deal in more detail with the deletion to clause 7 when we get to it. The next amendment would be a deletion of some particular words that refer to a particular allowance

which is in fact an overhang from many years ago, and that is the words “personal allowance”, and we decided to avoid confusion and contention we would simply delete the words “personal allowance” from the definition of “salary”, Mr. Deputy Speaker. And that is in clause 3 of the Bill where previously we had the words “personal allowance and housing allowance”, we have deleted “personal allowance” because that is not an allowance that is used very much in the modern era. So we took that out. So we did not want any confusion. There were allegations that somehow we on this side had some sight of the SRC report and that persons—some very fortunate persons would get a personal allowance and therefore we were legislating for ourselves. So, for the avoidance of all doubt we took it out, “so it gone”.

So that this “personal allowance” which public servants had enjoyed in the past—let me just clarify, Mr. Deputy Speaker, in the other place the amendments proposed by the other side was delete everything. It was not any amendment to any particular clause with respect to tweaking a word or inserting a word or taking out a word, it was delete clause 2, 3, 4, 5, 6, 7, 8, 9, 10. That was the extent of the amendments in the other place, very similar to the alleged amendments or the proposed amendments in this place. So we have taken out the “personal allowance” in clause 3, it is gone from the Bill. In clause 4, because the word “personal allowance” was repeated throughout in the various pensions Acts because you were dealing with four separate pensions Act, President’s pension, Prime Minister’s pension, Retiring Allowances (Legislative Service) and Judges Salaries and Pensions Act, we had amended the definition of salary to include personal allowance and housing allowance in all of these four Acts. And because we are taking out “personal allowance” upfront, we have decided to delete it wherever it appeared. So in the amendment to clause 4, what you see is after the

words “inclusive of” delete the words “personal allowance”.

We also dealt with an issue which had not been an issue for 10 years, between 2009 and 2019 there were persons, retired presidents and spouses of retired presidents who had benefited from a revised pension that was enacted in 2009 where there was no confusion or ambiguity or interpretation of the law at that time that persons who had taken a reduced pension and gratuity would not be eligible for the revised pension. Ellis Clarke at the time, deceased Ellis Clarke, and the spouse of the Noor Hassanali, their Excellencies, they all benefited from an upward revision in the pension based on that 2009 amendment which had a certain form of words which simply said that if a person had exercised an option to get a three-quarter pension plus a gratuity, when the pension was revised upwards they could not revert to the 100 per cent. It worked well without any trouble, but it became contentious, Mr. Deputy Speaker, so we decided for the avoidance of doubt to spell it out.

2.00 p.m.

So what you are seeing now in clause 4, we have spelt out:

“(1) A person referred to in section 3(1) is eligible on every fifth anniversary...”

—We took out the first amendment and we put this in:

“(1) A person referred to in section 3(1) is eligible on every fifth anniversary of the date he ceased to be President for a revised pension equivalent to—

- (a) the salary payable to the incumbent on that date; or
- (b) three-fourths of the salary payable to the incumbent on that date, where he has exercised the option under section 3(2).”

This has now made it crystal clear what has always been the application of the law

in the 2009—2019 period. It had been applied to create this result, but we now spell it out so that if someone, a retired judge or a retired President or Prime Minister as the case may be, had taken the option of a reduced pension being three-quarters or 75 per cent of the full pension plus a gratuity, now they will benefit from the upward revision of the salary on the fifth anniversary date and they will get three-quarters or 75 per cent of the revised pension. So we spelt it out, so it is now no longer a matter for debate or interpretation or misinterpretation as the case may be.

If you go to clause 5, again, we deleted the words “personal allowance”, we had taken them out from the definition upfront, but they were also repeated in various clauses in the various amendments to the various Acts, the words “personal allowance” were there.

So we go to clause 5 which deals with Prime Minister’s pension, we deleted the words “personal allowance” from that clause as well, and we also did exactly the same thing we have done with respect to President’s Emoluments Act, we have now dealt with it with respect to the Prime Minister’s Pensions Act and it says:

“A person, including a retired Prime Minister, is eligible on every fifth anniversary of the date he ceased to be Prime Minister for a revised Prime Minister’s pension equivalent to—

- (a) the salary payable to the incumbent on that date; or
- (b) three-fourths of the salary payable to the incumbent on that date, where he has exercised the option under section 4(2).”

And this is dealing with general concern about possible ambiguity, and also in response to a particular question asked of me by the Member for Oropouche East, where the Member for Oropouche East alleged that we were somehow discriminating against retired Prime Ministers, of which there are only two, Mrs.

Kamla Persad-Bissessar, the Member for Siparia, and Mr. Basdeo Panday. Those are the only two retired Prime Ministers who are still alive.

And the Member for Oropouche East asked whether we were planning to discriminate against retired Prime Ministers both of which are from the UNC, so we have fixed that. The Member for Siparia also raised it, so we have fixed that. And may I say, the only two persons who will benefit from the amendments to the Prime Minister's Pensions Act would be Mr. Basdeo Panday and the Member for Siparia; so that was the amendment to clause 5.

You go now to clause 6, again, this was something that had worked well for Ellis Clarke, had worked well for the spouse of deceased Noor Hassanali, but we did not want any confusion. We have received legal advice before from eminent counsel that the previous wording was adequate, but we did not want any confusion, so to make it crystal clear, in the Judges Salaries and Pensions (Amdt.) Bill, again, we take out "personal allowance", so that will remove that source of contention, and we now amend the law to make it crystal clear as follows:

"A person, including a retired Judge..."—

And that is to ensure that retired judges are eligible,

"...is eligible on every fifth anniversary of the date he ceased to be a Judge for a revised pension—

- (a) calculated on the basis of the pensionable emoluments payable to the incumbent on that date; or
- (b) at the rate of three-fourths of the revised pension payable under paragraph (a), where he has exercised the option under section 11(1)."

And may I say, Mr. Deputy Speaker, I read an article in the *Express* today which was based on a false premise, where questions were posed to retired Chief Justices, they expressed their joy at the fact that we in this place had, in fact, finally

improved the pension arrangements for retired judges who were living in penury, but they were misled into believing that we had not circulated an amendment to this particular clause.

I want to put on record that the amendment that you are reading here was circulated in the other place at 11.00 a.m. yesterday, Mr. Deputy Speaker, at 11.00 a.m., this amendment that I am reading was circulated in the other place. And therefore, I was very surprised in reading the *Express* today, as if we had not circulated any amendment and as if the original ambiguous clause was there; I just want to put that on record. This amendment that made it clear, that for a retired judge, they would now get at the rate of three-fourths of the revised pension payable under paragraph (a) where they exercise their option, was circulated in the other place at 11.00 a.m. yesterday morning. I do not think newspapers go to print at 11.00 a.m. I think from my little knowledge that they go to print at six or seven o'clock. [*Crosstalk*]

No. Well, now they know, Mr. Deputy Speaker, I am grateful to the Member for Naparima. Clearly the question that was posed to these retired Chief Justices is what you think of this clause, but it was the wrong clause, it was a clause that had been amended since 11.00 a.m. yesterday morning, so I just want to put that on the record.

So, to all retired judges who may still have concerns, let me just say that those who exercise an option, and it is the majority, I have done some research, it is the majority of retired judges, they did exercise their option. [*Crosstalk*] Mr. Deputy Speaker, I hear Members opposite saying, "We told you so". You told us all sorts of things, 99 per cent of what you said was not true and therefore, we cannot trust you.

So what I did, Mr. Deputy Speaker, and being the Minister for the time

being responsible for the Treasury which is responsible [*Crosstalk*] for the payment of pensions and gratuity—Mr. Deputy Speaker, why is Oropouche East—look, I ask for your protection.

Mr. Deputy Speaker: Proceed, hon. Member.

Hon. Colm Imbert: It is really annoying, Mr. Deputy Speaker, Oropouche East just goes on and when he finishes, Naparima starts. Please stop. So, for the record, Mr. Deputy Speaker, if there is any retired judge who exercises an option for a reduced pension, I checked with the Treasury which is a department of the Ministry of Finance, and since for the time being I have the honour to hold the portfolio of the Minister of Finance, I was able to get the information and confirm that the majority of retired judges exercised their option to take a reduced pension and a gratuity. So this amendment now, which was circulated at 11.00 a.m. yesterday, deals with that. They will now get three-fourths, three-quarters or 75 per cent, whichever way you want to put it, of the revised pension which will now include an allowance.

Going to clause 7. In clause 7, Mr. Deputy Speaker, one of the distinguished Senators in other place, Independent Senator, raised some concerns about conflict of interest with respect to information, it was a very cogent argument, and I am referring to Sen. Chote. And on the basis of Sen. Chote's argument, we on this side felt it was better to do a comprehensive review of the Freedom of Information Act and therefore, we withdrew clause 7, the amendment to the Freedom of Information Act, last night in the other place. So the amendment to clause 7 is that you delete clause 7; that is the freedom of information one.

In respect to clause 8, this was to deal with a question raised by a Member of the other place with respect to NIS benefits. There were all sorts of allegations that by not allowing transient workers to register for NIS, you are going to deprive the

fund of income; complete opposite is true. We are at pains to make the point that the way the national insurance scheme is structured at this time, in order to get an injury benefit which you can get for an entire year, you can receive an injury benefit for an entire year, in order to qualify for that, you only have to make one national insurance payment of \$11. So that, can you imagine a transient worker making a single national insurance payment of \$11 qualifying for an injury benefit where they would get two-thirds of their salary for 52 weeks, 52 weeks, Mr. Deputy Speaker?

And also, in terms of maternity benefits, you only have to make 10 contributions of \$11, \$110 and the person qualifies for a maternity grant and a maternity benefit. And the other person who is making the one contribution of \$11, they would not only qualify for an injury benefit, but they qualify for a medical expenses grant of \$33,000. We made it very clear that it did not make sense, the fund was never designed for that, the scheme was never designed for that, that transient workers would come in large numbers and access benefits by paying a pittance in terms of contributions. That will not help anybody; that will destroy the fund.

And I made the point also, Mr. Deputy Speaker, and I will make it here now. In 2018, in the annual report laid in this House, it was reported that in that year 2018, last year, the fund was in deficit by \$226 million. In other words, the pay out of benefits exceeded the inflow of contributions. The inflow of contributions were just over \$4.6 billion and the outflow was close to \$4.9 billion. In fact, the difference between the two when you add them and subtract them is a deficit, a shortfall between pay-out of benefits and the inflow of contributions, of \$226 million.

So we really have a situation where we have an ageing population, we have

less and less people becoming members of the national insurance scheme, people are living longer and therefore, the benefits are increasing exponentially and the income is decreasing and therefore, it would be foolhardy, irresponsible and anti-Trinidadian and Tobagonian for us to allow damage to the insurance fund. So we fixed it and we made a further amendment because there was a lot of noise about people already in the system, so the amendment to paragraph 8 makes it clear that:

“...except that an Order under this paragraph...”—

That is the order exempting a certain category of worker for a certain period of time:

“...shall not affect a person who is registered under subsection (1) prior to the coming into force of the Order.”

So it means that once you are in you cannot come out, this will only be for persons going forward. And in the last amendment it is simply to correct a typographical error.

So, Mr. Deputy Speaker, those are the amendments. I am very happy that we were able to pass this Bill in this place and in the other place. I want to thank the Members of the other place, the Independent Senators in particular, [*Desk thumping*] for supporting this Bill and for doing what is right, Mr. Deputy Speaker. I want to support the Members of the Independent bench in the other place for doing what is right, standing on principle, and not succumbing to politics. I beg to move, Mr. Deputy Speaker. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: I recognize the Member for Oropouche East. [*Desk thumping*]

Dr. Moonilal: Thank you very much, Mr. Deputy Speaker, for the opportunity to

rise and speak on the matters before us which are extremely significant amendments and significant issues brought from the other place in the aftermath of a fairly long debate last evening.

Mr. Deputy Speaker, every generation of politicians should have somebody like the Member for Diego Martin North/East who can stand with gusto and courage and say almost anything in any circumstances. Only one could be permitted per generation and that is the Member for Diego Martin North/East. When the Member for Diego Martin North/East was speaking, I got difficulty seeing his face because I thought there was a lot of egg on his face [*Laughter*] and I could not make him out.

Mr. Deputy Speaker, we have some amendments before us today, suggesting that this Government was battered into submission [*Desk thumping*] to come back to the House. They came back wounded, in plaster, bandaged, to ask us to support now, amendments, and only the Minister from Diego Martin North/East could explain this as if it is some sort of victory.

The first amendment deals with the issue of the long title and clearly the Freedom of Information Act, Chap. 22:02, that section has to be deleted because that is consequential upon something else that we will come to in a little while.

In a Bill that came to this House on the 7th, was debated on the 10th, we are back on the 14th of the same week; this, I believe, unless I am mistaken, is seven days later we are back, Mr. Deputy Speaker, just for the record, with eight amendments on a Bill of 11 clauses; eight clauses to amend in a Bill of 11.

Hon. Member: When was it laid again?

Dr. Moonilal: It was laid last week Friday, came to the House on Monday against the wishes of the Opposition, and there was a division on that matter, and today we are back to amend.

Mr. Deputy Speaker, in clause 1, we can start there, I think it is best, they have deleted, of course, freedom of information. But clause 3, and this clause 3 runs in other provisions as well because of the nature of this matter that has been deleted, we had raised this matter of “personal allowance” in our debate on Monday. [*Desk thumping*] We raised that matter.

Hon. Member: We told them so.

Dr. Moonilal: Mr. Speaker, at their arrogant best, they poured scorn on our contributions, and the contribution of the Leader of the Opposition, [*Desk thumping*] she raised this matter. The Opposition told them for an entire day that there was nothing called “personal allowance”, it has to go. Today, [*Desk thumping*] the Minister of Finance says he is praising the Independent Bench. So what is that? What is that about?

Dr. Gopeesingh: How ironic.

Dr. Moonilal: And it is the Leader of the Opposition who raised that matter. [*Desk thumping*] And the Minister, I just want to recall for the record, the Minister said “personal allowance” was there from 1934, we are bringing it up to speed, we are bringing it up to speed, we are consistent; we are levelling the playing field. Who said that? The Member for Diego Martin North/East today, with egg on their face they come. Okay. They do what Port of Spain North does, they speak under their breath. “We just delete personal allowance”—

Hon. Member: And claim victory.

Dr. Moonilal:—and they say victory. But the other related matter is that we continue to ask for these officeholders, Mr. Deputy Speaker, we continue to ask a related issue and I will do that in few minutes.

So the deletion of “personal allowance” was raised in this House, Mr. Deputy Speaker, was raised in this House, they could not answer here, and when

they faced the fire, they succumbed and they were battered into submission.

I kept noting that the Minister kept saying all the time, and I am just taking him up on his presentation, for the time being he has the honour to be Minister of Finance. Do you know something we do not know? Is it that the Prime Minister is about to remove you for something that you kept saying three/four times that? Mr. Deputy Speaker, clause 4 that is where I want to spend a small moment.

Dr. Gopeesingh: “He get buff.” [*Crosstalk*]

Dr. Moonilal: Clause 4, they took off “personal allowance”, again, for the President’s Emoluments Act, personal allowance, but the housing allowance remains. Mr. Deputy Speaker, again, we want to state for the record for the umpteenth time, that I am reflecting on “personal allowance” being deleted in clause 4 of the amendment.

Mr. Deputy Speaker, for the umpteenth time we want to put the policy position of the Opposition, that we believe that the Government should have deleted “housing allowance” as well. [*Desk thumping*] The introduction of this housing allowance for the President is a recent phenomenon. Let us go to clause 5 because I know my colleagues opposite want me to get there quickly.

Well, Mr. Deputy Speaker, may I just add according to the amendments that are in my hand, this is subject to change by the time I finish. They are saying here that there is a formula that has found its way today, and I want to quote, put on the record, and it is consequential of course:

“Delete paragraph (b) and substitute the following paragraph:

(b) in section 3A, by repealing subsections (1) and (2) and substituting the following subsection:

(1) A person referred to in subsection 3(1) is eligible on every fifth anniversary of the date he ceased to be President for a revised pension

equivalent to—

(a) the salary payable to the incumbent on that date; or...

—This is the new area, I believe, now:

“(b) three-fourths of the salary payable to the incumbent on that date, where he exercise the option under section 3(2).”

So our reading of this is where you have a President, and we are dealing with a President here, who has exercised the option under 3(2) which I believe is a reduced pension and lump sum, that person, that President, Excellency, would now have three-fourths of the salary payable to the incumbent on that day. So when that is reset, it is the incumbent in office, you will take three-fourths and you put it there and say that is your new pension.

Now, that was a result of some agitation and some questions raised by the Opposition in the committee stage. [*Desk thumping*] But, Mr. Deputy Speaker, our policy position has not changed. We believe then and we believe now that it is morally wrong to enhance the pensions of a few at the highest level of the society and forget the working people, the people at the lower [*Desk thumping*] rung whose pensions will not be enhanced.

Mr. Deputy Speaker, I come to clause 5. And what they have done now, Mr. Deputy Speaker, “personal allowance” is out according to the amendment, but there is still a significant problem here, housing allowance is in. And, again, I ask the Minister of Finance, could you tell us, could you tell the country and could you tell the world, what is the housing allowance of the current Prime Minister of Trinidad and Tobago?

Mr. Deputy Speaker: Hon. Member, we are dealing with the amendments. Members, hold on. We are dealing with the amendments and housing does not play any role here. So kindly desist. Move on, please.

Dr. Moonilal: Thank you. And, Mr. Deputy Speaker, let me focus on what plays a role here, personal allowance, because I think that is the subject here. The Government included personal allowance. Can the Minister give us a little more detail, apart from saying confusion, as to why you removed “personal allowance”? You were so sure, you were so certain, you were so arrogant in bringing “personal allowance” as part of pension, you removed it and the only answer we have according to the Minister—because in this House we are not obliged to listen to anything else that happened anywhere else, we determine our business. Could you tell us exactly why you removed “personal allowance”? When you did not listen to us on Monday gone, when you did not listen. You removed it and today say, it was just confusion, so solve the confusion by removing it.

So, Mr. Deputy Speaker, judges salary and so on, they have taken some steps to clarify, they have taken some steps to suggest what we, again, what was said on Monday night. On Monday night we told the colleagues opposite that we had done some type of investigation into this matter. And in our investigation, told us that many, if not all the judges exercised option two. So in its original form it was not going to help anybody.

Hon. Member: Correct.

Dr. Moonilal: We told you that. There is an amendment now to suggest that, again, you did not want to listen on Monday, you listened on Thursday night when somebody told you, and that is your right, of course, to do that.

But, Mr. Deputy Speaker, again, the Opposition's position is that while this will benefit a few, we ask for benefits for the wider working people of Trinidad and Tobago, [*Desk thumping*] bring their pensions up too.

Mr. Deputy Speaker, number 6, we are on number 6. Now, let me get to the real thing here. Now, the only recommendation made by the Leader of the

Opposition, which was taken in its entirety, was to remove clause 7. [*Desk thumping*]
And today, we acknowledge the work of the Opposition and commend civil society, the other groups outside, 47 groups, individuals, professionals, who came down like a ton of bricks on this Government. [*Desk thumping*]

Mr. Deputy Speaker: Members, hold on. Member for Naparima, constantly, since your colleague started his discourse, the added comments, please. Proceed.

Dr. Moonilal: Thank you. But, Mr. Deputy Speaker, I want to raise some questions about this amendment. Because, Mr. Deputy Speaker, I followed the debate in the other place, and up to 11 o'clock last night, a Minister of Government, the Member for Laventille West said, "I see no reason to delete clause 7".

Hon. Member: Who said that?

Dr. Moonilal: At 11.00 p.m. last evening, it is on page 10 of the *Newsday*. He said, "I see no reason to delete it". Today, the Member for Laventille West joins his colleagues in deleting it.

Mr. Hinds: Of course.

Dr. Moonilal: He says, "of course". Mr. Deputy Speaker—

Hon. Member: What is the principle there?

Dr. Moonilal: Clause 7, deleted. But I am asking the Government since they have deleted it, they raised serious concerns to them on Monday about people—did you remember an exploitation industry, an industry of exploitation. What is the plan of the Government to deal with this industry of exploitation?

Hon. Colm Imbert: Point of order.

Dr. Moonilal: But I am raising points on the amendment.

Hon. Colm Imbert: Point of order.

Dr. Gopeesingh: Well, quote your point.

Hon. Colm Imbert: 48(1).

Mr. Deputy Speaker: Again, Member, you are getting some leeway, tie it in quickly—

Dr. Moonilal: Sure.

Mr. Deputy Speaker:—because we are dealing with only the amendments.

Dr. Moonilal: Yes, Mr. Deputy Speaker.

Mr. Deputy Speaker: Sure.

Dr. Moonilal: Mr. Deputy Speaker, I will tie it this way. Clause 7 has been deleted in its entirety; that is an amendment. The Government made to them, strong arguments about why they had it in the first place. I am asking you now, why did you remove it?—if you were so sure that this would deal with the industry of exploitation. Why did you delete?—and you have deleted the clause—

Mr. Hinds: Mr. Deputy Speaker, 48(1). This is not a debate—to be asking why, is irrelevant; it is not a debate. [*Crosstalk*]

Mr. Deputy Speaker: Again, Member, we are dealing with the amendments that came from the Senate. Again, I would like you to stick closely to the particular clauses. All right? So, again, keep in mind this is the second occasion.

Dr. Moonilal: Mr. Deputy Speaker, I do not want to run afoul of your ruling at all. There is a 7 that has been deleted. Am I free to read what was deleted?

Hon. Colm Imbert: No.

Dr. Moonilal: Or just to repeat the word, delete, delete, delete?

Mr. Deputy Speaker: Member, again, we are on clause 7. All right? The amendment is the deletion, so let us stay close as possible to what is the deletion.

Dr. Moonilal: Mr. Deputy Speaker, so I need clarification now. My debate will be curtailed by the word D-E-L-E-T-E.

Dr. Gopeesingh: That is wrong.

Dr. Moonilal: And I cannot reflect on what is being deleted. [*Desk thumping*] I cannot reflect on what is being deleted, I just have to use the word D-E-L-E-T-E. I want to reflect on what the Government threw out, that [*Desk thumping*] is the matter before us now.

Hon. Colm Imbert: Point of order, 55(1)(b). [*Crosstalk*]

Hon. Member: You debated so vigorously for it.

Mr. Deputy Speaker: Overruled. Member, as I said. Okay? Proceed clearly and I will direct.

Dr. Moonilal: Sure.

Mr. Deputy Speaker: All right?

2.40 p.m.

Dr. Moonilal: Mr. Deputy Speaker, I depend on you here. The Freedom of Information Act, I am going to read what was deleted, because they deleted—who created the amendment? [*Interruption*]

Mr. Deputy Speaker: Naparima, please!

Dr. Moonilal: In the Bill what is deleted, Freedom of Information Act, certain provisions, Mr. Deputy Speaker, and I will just read provision two:

“Where a request is referred to the Attorney General under subsection 6(d), the Attorney General shall, within ninety days from the date on which the request was referred, inform the public...in writing...”

This was further reduced to, I believe it was 30 days, and now, Mr. Deputy Speaker, it is being reduced.

Mrs. Robinson-Regis: Mr. Deputy Speaker—

Dr. Moonilal: Are you all going back in your cave to plot when next to undermine the individual rights. [*Desk thumping*] Are you all going to come back with—[*Desk thumping*]

Mr. Deputy Speaker: Members! Yes, point of order.

Mrs. Robinson-Regis: Yes, Standing Order 48(1), Mr. Deputy Speaker, that is irrelevant.

Mr. Deputy Speaker: What is the Standing Order?

Dr. Gopeesingh: We are speaking on behalf of the people.

Mr. Deputy Speaker: What is the Standing Order?

Mrs. Robinson-Regis: 48(1), Mr. Deputy Speaker.

Mr. Deputy Speaker: Overruled. Member for Oropouche East, I would like you to continue with your discourse and stick with the relevance of the amendment.

Dr. Moonilal: Sure. Thank you very much, Mr. Deputy Speaker, for this guidance. [*Desk thumping*] Mr. Deputy Speaker, what was also deleted that gave rise to delete at number seven, what was also deleted was this matter of a request referred to the Attorney General where on the date after a certain amount of days, reduced to 30, the Attorney General was to intervene, and we heard strong arguments about that intervention by the Attorney General, and that has led to this issue of delete. That is why we have arrived here and they have deleted it. All I am saying to the Government—

Mr. Deputy Speaker: Hold on. Member, one second. Again, the particular clause 7, you can introduce it, but with regard to what the Attorney General would have said and would have introduced, we are not going down that road.

Dr. Moonilal: Okay. So, Mr. Deputy Speaker, let me just sum up here because I want to move on—could I ask the Government, therefore, whether in deleting this matter that they have deleted—

Mr. Deputy Speaker: Member, again, the question cannot arise at this stage. We have already debated the matter and we are now dealing with the particular amendment. Right? You have my permission in order to read the particular

clause, but we are not going into no details as to the actual debating of the particular matter. Right? If you have to do any debate it is based on the amendment, delete. Kindly proceed.

Dr. Moonilal: Thank you very much.

Mrs. Persad-Bissessar SC: But, we are deleting.

Dr. Moonilal: Mr. Deputy Speaker, I wanted to read what we are deleting. Is it permitted?

Mr. Deputy Speaker: And I gave you that permission.

Dr. Moonilal: Okay, thank you. We are deleting here a role for the Attorney General. We are deleting that. We are deleting a number of days provided for the Attorney General. That is what we are deleting. That is why we have the word “delete”. They have taken it out completely. Having spoken on it, what role do you foresee for the Attorney General in the future? I ask the question, and I move on. I just want to move on now. Leave that Freedom of Information matter there. It came like a “tief in the day” and it left like a “tief in the night”. Mr. Deputy Speaker, the Member went on to clause 8 now. Now, that is a nice one—has to do with the NIS, I believe. Mr. Deputy Speaker, the amendment, I just want to read it here:

“In paragraph (b), insert after word ‘prescribe’, the words ‘, except that an Order under this paragraph shall not affect a person who is registered under subsection (1) prior to the coming into force of the Order’.”

That is it. But the Minister made some observations today in his presentation of the amendments. He made some observations. And the Minister told us earlier that he is treating with this amendment on the basis of fairness, on the basis of some transparency that persons who are transient workers and they pay a certain amount, they must not be allowed to pay, because if they pay a small amount of

contributions they could be entitled to bigger benefits. The Member said that earlier.

Now, Member, is it—and you are clear with this amendment that this will not affect workers from Trinidad and Tobago who joined the system and they can also pay a limited amount, and once they have reached the threshold of payment they can then benefit from everything in the NIS? I want to ask a question based on this amendment. What happens to transient workers who stay longer for any reason, including lawful reason, in the economy working and they are denied because of this amendment any right to pay NIS?

Hon. Colm Imbert: Point of order! Point of order. Mr. Deputy Speaker, this only deals with persons who are already registered. It has nothing to do with persons who are not registered. The statement the Member is making is irrelevant. Point of order, 48(1).

Mr. Deputy Speaker: And again, Member, we are dealing up to the particular time period, which is supposed to be a year. Minister of Finance?

Hon. Colm Imbert: Coming into force of this year.

Mr. Deputy Speaker: Coming into force in the year?

Hon. Colm Imbert: Yeah.

Mr. Deputy Speaker: After that, we are not entertaining no debate.

Dr. Moonilal: Thank you very much. So, Mr. Deputy Speaker, the issue at clause 8 affects the persons who are coming onto the system now, as I understand it, but the Minister can clarify. Mr. Deputy Speaker, in closing I just wanted to reiterate the point of the amendments with allowances to indicate that this Opposition will not participate with the Government as they loot the Treasury. Do not depend on us to share in that loot. I thank you. [*Desk thumping*]

Dr. Tewarie: Thank you very much, Mr. Deputy Speaker. I did not get a chance

to speak on this Bill so I will make a few points on the amendments that have come to this House from the Senate today. And the first amendment is the deletion of the words “Freedom of Information”. [*Crosstalk*] Now—

Mr. Deputy Speaker: All right, Members. Just one second. Right, I would like all speakers, we are dealing with the amendments together, as agreed by both the Whip and the Leader of the House. When you are debating, again, it is your preference, but I would like you to identify the clause and then we move on to the particular thing, so that I can follow, so that I can keep the debate as on the amendments.

Dr. Tewarie: Thank you. Well, the first amendment, Mr. Deputy Speaker, is the long title, is to the long title and, before, the long title would have included the words “the Freedom of Information Act, Chap. 22:02”. That phrase, “the Freedom of Information Act, Chap. 22:02”, is no longer there, and the title now has that clause absent and has all the other issues that were contained in the Bill except for that. So that the entire Freedom of Information Act amendment clause has been deleted, and the important thing about that, Mr. Deputy Speaker, is that the arguments for its retention were so exceptionally strong on the part of the Government, and for a 360-degree turn to take place now for this amendment—

Hon. Member: 360? [*Crosstalk*]

Dr. Francis: I think you mean 180.

Dr. Tewarie: Is 180? All right, I will concede 180. But it looked to me that it was all circular in intent, or at least in result [*Desk thumping*] and that is because the Government has a way of constructing its debates here.

Hon. Colm Imbert: Point of order, Mr. Deputy Speaker. This is not about the Freedom of Information or the debate about the Freedom of Information. We are simply deleting words from a title, full stop.

Mr. Deputy Speaker: Overruled, proceed.

Dr. Tewarie: Thank you. You see, the only way you can have such an about turn—I would stay away from the numbers 360 or 180—is if you take that position that you can rationalize anything no matter what it is. [*Desk thumping*] So to argue the case for retention of the amendment in this House, which they did, they argued a strong case making the case of why it could not be removed at all, and now in bringing back the deletion, so the clause is no longer there, they are arguing the case that they were persuaded by—

Mr. Deyalsingh: Mr. Deputy Speaker—[*Laughs*]

Hon. Colm Imbert: 48(1), point of order, this is just the title of the Bill. It is no substance. It is just the title, not the substance, Mr. Deputy Speaker. It is irrelevant, 48(1).

Mr. Deputy Speaker: Overruled, proceed.

Dr. Tewarie: Thank you, Mr. Deputy Speaker. You see it is not in the title because the clause was taken out. [*Desk thumping*] And the Minister of Finance just made my case, which is that they can argue anything any time. [*Laughter and desk thumping*] So, he does not want me to raise any issue about clause 7 in clause 1, although clause 1 is a consequence of the removal of clause 7. [*Desk thumping*]

Dr. Moonilal: He should be removed as Minister.

Dr. Tewarie: So, I think I am allowed in the debate to respond to the Minister of Finance who presented the Bill, and the only thing I want to respond to is the fact he attributed the withdrawal of the clause, the deletion of the clause to the intervention of a Senator in the other place, an Independent Senator. And this also represents, Mr. Deputy Speaker, another disposition of the Government, which is to create overnight heroes and to identify villains to the flood in the public place. [*Desk thumping*] The Opposition raised a number of issues here, and I will go

through them one by one because those are the clauses that were affected. You see, we voted entirely for the clause that had to do with amnesty. The Leader of the Opposition took that position very clearly, and you noticed, Mr. Deputy Speaker, there is no amendment to the amnesty clause. [*Desk thumping*] And the reason is very simple, it was a good clause.

Dr. Gopeesingh: Yeah.

Mr. Deyalsingh: 48(1), we cannot be debating something that is not an amendment.

Mr. Deputy Speaker: And Member at this time you need to move off that amnesty aspect. That is not in the amendment.

Dr. Tewarie: I take your ruling, Sir, but I just want to explain to the Member for St. Joseph—

Mr. Deputy Speaker: No. Member, listen, I have ruled. Right? Sometimes I will rule for the left side, sometimes I will rule for the right side, and I would like it to stay that way. So I have ruled; let us move on to the other point please, on the amendments.

Dr. Tewarie: The Member for Oropouche East talked about the number of days and the number of amendments that were made in this short period of time, less than a week, and therefore it is not reasonable to compare why a clause was amended twice but other clauses were not touched. So I simply say that, I will not pursue the matter, Mr. Deputy Speaker. On the personal allowance issue, the Leader of the Opposition, on this side, belaboured that point. She kept insisting on this matter, kept insisting on the matter of personal allowance.

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 55(1)(b). The Member for Oropouche East dealt with this matter.

Hon. Member: What?

Mrs. Robinson-Regis: 55(1)(b), it is a repetition. [*Crosstalk*] Because he is repeating. [*Crosstalk*]

Mrs. Persad-Bissessar SC: But is it tedious repetition? It has to be tedious.

Mrs. Robinson-Regis: No, the vote of no confidence, Ma'am.

Dr. Rowley: Is the vote of no confidence.

Mrs. Persad-Bissessar SC: Who took the vote of no confidence?

Hon. Colm Imbert: You. [*Crosstalk*]

Mr. Deputy Speaker: Okay, can I? Can I at this time? Members! Both sides! Okay. And again I am going to overrule. Member. Member for Caroni Central, I am going to overrule the point of order, but again I would like you to stick close to the amendments, not going into no extensive debate, and we move with some sort of crisp movements, please.

Dr. Tewarie: Okay. Well, I would simply say that this was a matter that could have been settled here, because it was raised and it was settled in the Senate, the issue of personal allowance. Clause 3 is the same personal allowance, I would not deal with that again. Clause 4 is the clause that deals with the pension of the President and the manner in which that is to be calculated, and the same issue arises here for those who had taken what the Leader of the Opposition identified as option two, and what is identified in the original Bill as option two.

I think the issue that we had here, Mr. Deputy Speaker, was really what signals you send when you deal with what is essentially an elite group in the society, by any standard, as opposed to what the rest of the society is experiencing. [*Desk thumping*] And the corrections have been made here which would make the situation fairer for those who are current and those who had retired before and are now brought into the picture, but it does not alter the challenge of addressing the issues of a few as opposed to the challenges or the issue of the many.

The indexation issue, which this deals with here, is an issue also which the Leader of the Opposition raised, and strongly condemned the approach. [*Desk thumping*] Not because anything was wrong with it per se but because if you do it only for one group and you do not take the rest of the society and the other people in the working category into account, then it was discriminatory in nature.

It does not matter who it is, but if you do for one and you do not take the whole into account, and that was the basis of her argument, Mr. Deputy Speaker. So this matter remains for us a contentious matter and very, very difficult for us to support. And what I would say generally in the case of the President, the former Prime Ministers, the Prime Ministers, the judges, is that the real issue there is not what they might deserve or not deserve, but how it relates to the issue and principle of fairness in the entire system. [*Desk thumping*] I want to say that the Member for Diego Martin North/East singled out the Independent Members of the Senate, and in particular one Independent Member, and we thank the Senate for the—

Mrs. Persad-Bissessar SC: Civil society.

Dr. Tewarie: Huh?

Mrs. Persad-Bissessar SC: Civil society.

Dr. Tewarie: We thank the Senate for the role that they played, because at the end of the day it was in the Senate that clause number 7 was deleted in its entirety, as the Leader of the Opposition asked. [*Desk thumping*] But having said that, I want to say that you could jump high, you could jump low, the reason that clause came out at the end of the day was—

Mrs. Persad-Bissessar SC: Was to keep the pension. [*Laughs*] That is right. That was the bargain.

Dr. Tewarie: The reason that clause came out was because the Opposition never relented. [*Desk thumping*] The Leader of the Opposition never relented [*Desk*

thumping] and the civil society groups kept growing and growing in number [*Desk thumping*] and vociferousness as the Government sought to make small concessions without deleting the entire clause. [*Desk thumping*] And what everybody who had any interest whatsoever—

Mr. Hinds: Mr. Deputy Speaker, 48 (1). Which amendment is the Member addressing in that?

Dr. Tewarie: 7.

Mr. Karim: “Yuh eh listening?”

Mr. Deputy Speaker: Overruled, proceed. And, again, Member, tie it in quickly.

Dr. Tewarie: Yes. On clause 7, the reason why it has been deleted, Mr. Deputy Speaker, is because of the relentlessness of the Leader of the Opposition, [*Desk thumping*] the Opposition as a whole, and the growing vociferousness and agitation in the civil society sector. I want to acknowledge that and to acknowledge the implication of the mobilization of the civil society sector for the protection of democracy in Trinidad and Tobago. [*Desk thumping*] And, in closing, Mr. Deputy Speaker, I want to say that we are happy to be on the right side.

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

Dr. Tewarie: We are on the right side because this is the side that the people have decided that is the right side for Trinidad and Tobago at this time. Thank you very much.

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

Hon. Colm Imbert: Thank you, Mr—

Hon. Member: It is an honour to be here.

Hon. Colm Imbert: Mr. Deputy Speaker, I am asking you, the Members opposite have started already, I have not even begun to speak. The fact of the matter is, Madam, sorry, Mr. Deputy Speaker, is that the Miscellaneous Provisions Bill

passed in this House and was supported by the Independent Bench in the other House. The Miscellaneous Provisions Bill was approved by both Houses of Parliament, Mr. Deputy Speaker. [*Desk thumping*] Members opposite could put on a brave face and pretend that that is not so, but it is so, the Bill was passed. [*Desk thumping*] No Independent Member in the other place voted against the Bill. [*Desk thumping*] And Mr. Deputy Speaker, in response—[*Crosstalk*]—Mr. Deputy Speaker, they are making too much noise.

Mr. Deputy Speaker: Okay. Members, please, silence when all Members are speaking. Proceed, Minister of Finance.

Hon. Colm Imbert: Mr. Deputy Speaker, I heard the Member for Caroni Central say that the amendment to clause 7 was because of the relentless work of the Leader of the Opposition. [*Desk thumping*] But I do not recall—[*Continuous desk thumping*] Mr. Deputy Speaker, you are hearing the noise, eh? I do not recall seeing the Leader of the Opposition in the other place last night. She was not there. [*Laughter*] So that this gives you some understanding of the altered state, the delusional state in which they reside. [*Desk thumping*] I mean, they—[*Crosstalk*] Mr. Deputy Speaker, please, I am asking you, every time I start to talk, Caroni Central, Naparima, Oropouche East, Siparia has not started yet, but they will. I ask for your protection.

Mr. Deputy Speaker: You have my protection Mr. Minister. But Member for Naparima, of all the names, of all the names, please. Proceed.

Hon. Colm Imbert: Thank you, Mr. Deputy Speaker. The fact of the matter, Mr. Deputy Speaker, is that there were six Opposition votes in the Senate last night, but the Senate is comprised of 30 members, and only six opposed the Bill in the Senate last night. So that all their fulminations are all figments of their imaginations. They just self-praise for nothing. They are just upset. They are upset that one of

their Members voted with the Government in this House.

Mr. Hinds: “Aaah.” [*Desk thumping*]

Hon. Colm Imbert: That is all that is bothering them. [*Desk thumping*] That is all that is bothering them. They “cyah” take it. [*Desk thumping*] They “cyah” take it.

Hon. Member: Who? Who? [*Crosstalk*]

Mr. Lee: Mr. Deputy Speaker, 48(1). What is the relevance of this? [*Crosstalk*]

Mr. Deputy Speaker: Okay, Members, thank you. Again, Chief Whip, the Minister of Finance is winding up. [*Interruption*] Hold on, one second. Hold one second. The Minister of Finance is winding up. And again, Members, at the same time, as is tradition, as is protocol, the thumping of desk, but the verbal aspect, please, try and desist. Proceed.

Hon. Colm Imbert: Thank you very much, Mr. Deputy Speaker. “Hutting dem. Chaguanas West hutting dem.” But let me—[*Crosstalk*]

Mr. Deputy Speaker: Silence, Members, both sides.

Hon. Colm Imbert: Mr. Deputy Speaker, let me just put on record, in the other place the Leader of the Opposition Bench demanded the inclusion of benefit for himself. In this place the Member for Oropouche East demanded inclusion of benefits which would benefit the Member for Siparia. As I had said before, when we look at the amendments—and I am dealing now with the amendments—when we go to the amendments to clause 5, we did not think there was any problem with clause 5. As I indicated, clause 5 had operated perfectly in the same form in the amendments to the President’s Emoluments Act for 10 years. We thought there was no problem, but the Member for Oropouche East accused me of deliberately discriminating against and spiting a former Prime Minister who would not receive the enhanced pension.

At the time, Mr. Deputy Speaker, I had no idea who the Member for Oropouche East was talking about. I thought it was former Prime Minister Panday. But I went back to the Treasury, as I said, and I need to reiterate this, and discovered that the Member for Siparia had taken a reduced pension, and therefore the Member for Oropouche East was—[*Crosstalk*—the Member for Siparia was to benefit, and was the Member for Oropouche East was arguing the case for his leader. So it is the hypocrisy of the other side, Mr. Deputy Speaker. The hypocrisy. [*Crosstalk*] As I said, we will not let them escape. They come in here and they opposed these benefits—

Mr. Charles: Standing Order 55(1)(b).

Hon. Member: What?

Hon. Colm Imbert: Oh my God!

Mr. Charles: Yes, I heard about Siparia and preferences.

Dr. Francis: Irrelevant.

Mr. Deputy Speaker: Member, please, if you are—[*Crosstalk*] Members! Member, hold on. Members, please! Members, please! Naparima, again, if you are addressing the Chair there is a particular format, is either you are standing, you are sitting or you are semi-sitting. Whichever one. So if you are addressing me, do it properly, please.

Mr. Charles: Sorry, Sir. Standing Order 55(1)(b).

Mrs. Persad-Bissessar SC: What is tedious repetition?

Mr. Charles: It is repetitious.

Mr. Deputy Speaker: Again, hon. Member, with regard to the Opposition Leader, move on to your next point, please.

Hon. Colm Imbert: Mr. Deputy Speaker, last night I was asked to quantify the effect of these benefits. I was asked if I had calculated, if I knew how many retired

legislators, how many retired judges, how many retired Prime Ministers, how many retired Presidents were in the system, and whether I had done a detailed—

Dr. Moonilal: Mr. Deputy Speaker, 48(1); nobody asked him that here. If somebody asked you that in the Senate that is their business.

Mr. Mitchell: That is part of the Standing order. [*Crosstalk*]

Mr. Deputy Speaker: Overruled, proceed.

Hon. Colm Imbert: Mr. Deputy Speaker, I am dealing with an allegation which is being made sotto voce and not so sotto voce across the floor at me by the Member for Siparia, the Member for Caroni East and the Member for Oropouche East. And the allegation is that somehow this Minister of Finance went into people's personal records. [*Interruption*] I was asked in this—[*Crosstalk*] Mr. Deputy Speaker, with respect to these amendments—[*Crosstalk*]—oh Lord, Mr. Deputy Speaker, please.

Hon. Member: “Wind up nah, man.”

Mr. Deputy Speaker: Proceed.

3.00 p.m.

Hon. Colm Imbert: Mr. Deputy Speaker, I want to make the point that based on arguments made in the other place which have found their way into the amendments before us in this House, namely, the amendments to clause 4, clause 5, clause 6, Mr. Deputy Speaker, where we have sought to clarify that a person who took the option of a reduced pension would benefit from an enhanced pension on the fifth anniversary of the date where they cease to either be a President, a Prime Minister or a legislator.

Based on these amendments which came out of the debate in the other place, Mr. Deputy Speaker, it is pertinent and germane that we get some understanding of the effect on the Exchequer of the amendments to 4, 5 and 6. And not only Members opposite in this House and Members of their party in the other place

posed this question, this question has also been posed in the public domain. It has been posed in the media; it has been posed in letters to the editor; it has been posed in editorials; it has been raised by hon. Members opposite, both here and by their counterparts in the other place, and that is, what is the cost of all of this? And the only way to establish the cost is to check the records.

Mr. Deputy Speaker, I am not a “seer-man”, I am not a psychic. I cannot do calculations until I have an understanding of the quantum of total pension benefits paid to these categories of workers. I cannot determine the quantum that will be affected by clause 4(b), clause 5(b), clause 6(b). I cannot determine the quantum unless I know the number of persons involved. I cannot determine the number of persons involved unless I ask the relevant departments of the Ministry of Finance that pay these pensions, who we are talking about. So that the Members opposite could jump high, could jump low, the fact of the matter is they asked for these benefits and they shall receive them like anybody else.

Let me just move on, Mr. Deputy Speaker. The fact of the matter is that the Bill that was passed in this House received total support from the Independent Bench, with respect to the deletion of clause 7. I want to repeat the reason for deleting it, is because of a certain principle espoused by Sen. Chote in the other place, that the AG might find himself in a conflict of interest situation where he would receive information on confidential matters relating to police matters and then later on might have to be involved in some form of legal action against the person or defend a legal action.

Somebody might want to file an action for wrongful arrest and the Attorney General would have receipt of confidential information which the police would not have wanted to give to the person. And that was the reason, it was very cogent arguments. That is why we took out 7. It had nothing to do with the Leader of the

Opposition. It had nothing to do with the Opposition, [*Crosstalk*] nothing whatsoever with the Opposition, Mr. Deputy Speaker. [*Crosstalk*] It was a sensible argument raised by an Independent Senator in the other place and for that reason the Government has decided to delete this clause and to revisit—Mr. Deputy Speaker, it is hard, you know, the Member for Oropouche East and the Member for Caroni East just yapping away on this side. But the Government has decided to do a comprehensive review of the Freedom of Information Act and come back, looking at exemptions, whether they should exist or not, whether the Central Bank exemption that was done several years ago was relevant and we will return to this Parliament in due course with a revised Freedom of Information Act based on the points made by the Independent Senators last night and other points made by other commentators inside and outside of this House.

Mr. Deputy Speaker, the bottom line is that this important legislation which includes a tax amnesty, which includes an exemption from NIS benefits and includes enhanced pensions for people who have worked long and hard in the vineyard. This Bill was successfully passed in this House and was successfully passed in the other place. It is a true success story on the part of the Government, a true success story. [*Desk thumping*] And what is bothering them, as I conclude, what is bothering them is that this Bill had so much merit, that one of their Members, the Member for Chaguanas West voted with the Government [*Crosstalk*] with the clauses on principle and has gone public and explain that there is a time to put aside politics, [*Crosstalk*] there is a time for politics and there is a time for principle. [*Continuous crosstalk*] All I can say, Mr. Deputy Speaker, that all is not lost—

Mrs. Persad-Bissessar SC: Money, money.

Hon. Colm Imbert:—and at least one Member of the UNC—

Mr. Deputy Speaker: The Member for Laventille West and the Member for Siparia, please, not across the Chamber. The Member for Laventille West and the Member for Siparia, please, not across the Chamber.

Hon. Colm Imbert: In closing, Mr. Deputy Speaker, all I can say, all is not lost. Thank God that at least one Member of the other side has decided to vote on principle and not engage in petty politics. [*Desk thumping*] I beg to move. [*Crosstalk*]

Question put.

Hon. Member: Except clause 7, everything else is no. Everything else no.

Mr. Deputy Speaker: Chief Whip, just for the records, is there a call for—

Mrs. Persad-Bissessar SC: Sir, I would like—

Mr. Deputy Speaker: Member for Siparia.

Mrs. Persad-Bissessar SC: Thank you.

Mr. Deputy Speaker: No, listen. It is just a simple question. [*Crosstalk*] I am hearing—one second, Member for Siparia, one second. I am just asking a simple question because of the comments I am hearing with regard to division and so on. So just for the records, I just want to be clear as the Speaker in the Chair, is there a call for a division?

Mrs. Persad-Bissessar SC: Yes.

Mr. Deputy Speaker: Okay Chief Whip?

Mrs. Persad-Bissessar SC: Clause by clause please, Sir.

Hon. Members: Nooo! [*Crosstalk*]

Mr. Deputy Speaker: Members, remember at the beginning of the sitting an agreement with the Leader of the House and with the Chief Whip, the amendments will be taken together. So based on the division, it will be a division based on the total amendments. Clerk, proceed.

Miscellaneous Provisions Bill, 2019
 Hon. C. Imbert (cont'd)

2019.06.18

The House divided: Ayes 20 Noes 16

AYES

Robinson Regis, Hon. C.

Rowley, Hon. Dr. K.

Hon. C. Imbert.: Yes. Like the five Independents, I vote yes.

Division continued.

Young, Hon. S.

Deyalsingh, Hon. T.

Robinson Regis, Hon. C.

Mitchell, Hon. R.

Cudjoe, Hon. S.

Garcia, Hon. A.

Crichlow-Cockburn, Hon. C.

Dillon, Hon. Maj. Gen. E.

Webster-Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Mc Donald, Hon. M.

Francis, Hon. Dr. L.

Jennings-Smith, Mrs. G.

Olivierre, Ms. N.

Antoine, Brig. Gen. A.

Smith, D.

Cuffie, M.

NOES

Mr. Lee: Except clause 7, no.

Mr. Deputy Speaker: Hold on. [*Crosstalk*] One second, one second. Hold on.

UNREVISED

Members. Again, Chief Whip you have made your statement but I trust that the other Members, is just a vote, yea or nay. I will prefer that as the Speaker.

Division continued.

Mrs. Persad Bissessar SC: Except clause 7, no.

Hon. Member: What! You defying the Speaker?

Division continued.

Mr. Charles: Except clause 7, no.

Mr. Deputy Speaker: Just one second. Again, Chief Whip, I cannot direct what your Members say, but I would like the Chair to be respected, all Members, right, I would love for the Chair to be respected. And once I am respected, I will give the necessary respect.

Mr. Lee: Yes, Sir.

Mr. Deputy Speaker: Proceed from where we ended.

[Procedural Clerk confers with Mr. Deputy Speaker]

Okay, once a division is interrupted we go back from where—on the Chief Whip side—from the beginning, okay yes, from the beginning. So we start over at the Government side. *[Crosstalk]*

Members listen! I am not going to tolerate it, right, I am not going to tolerate it; yea or nay, yes or no. And then according to the Standing Orders, once the vote of the division is interrupted, we go back to the beginning. If we need to be treated like boys and girls, I am in the Chair. Proceed.

Division continued.

AYES

Robinson-Regis, Hon. C.

Rowley, Hon. Dr. K.

Imbert, Hon. C.

Young, Hon. S.

Deyalsingh, Hon. T.

Hinds, Hon. F.

Mitchell, Hon. R.

Cudjoe, Hon. S.

Garcia, Hon. A.

Crichlow-Cockburn, Hon. C.

Dillon, Hon. Maj. Gen. E.

Webster Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Mc Donald, Hon. M.

Francis, Hon. Dr. L.

Jennings-Smith, Mrs. G.

Olivierre, Ms. N.

Antoine, Brig. Gen. A.

Smith, D.

Cuffie, M.

The following Members abstained: Mr. D. Lee—

Mrs. Persad-Bissessar SC: Out of deference, Mr. Speaker, abstain.

Mr. Deputy Speaker: Members, I want no comments.

Mrs. Persad-Bissessar SC: Respect to the Chair, I abstained.

Mr. Deputy Speaker: Members, one second. The voting consists of abstain, so I would prefer just the word “abstain”, please.

Division continued.

The following Members abstained: Mr. R. Charles, Dr. S. Rambachan, Mr. F. Karim, Dr. B. Tewarie, Dr. R. Moonilal, Dr. T. Gopeesingh, [*Crosstalk*] Mr. R.

Indarsingh, Mr. P. Ramadhar—

Mr. Deputy Speaker: Silence on the Government side.

Division continued.

The following Members abstained: Mr. B. Padarath, Dr. L. Bodoë, Ms. R. Ramdial.

Mr. Deputy Speaker: Hon. Members, by a vote of division, 20 Members voted for, zero Members voted against and 13 Members abstained, the vote is carried.

[Desk thumping and crosstalk]

Question agreed to.

Mr. Deputy Speaker: Members. Hon. Members, again, when I sit in this Chair as the Deputy Speaker, I am not considered a Member. I am not going to tolerate any indiscipline with regard to this Chair. It is a simple process and I as the Speaker really do not like the idea of having to treat my colleagues based on yea, nay, abstain, yes, no as the case may be. It does not sit right from sitting here. I felt I should just say that. Proceed. Minister in the Ministry of the Attorney General and Legal Affairs. *[Desk thumping]*

LICENSING COMMITTEE (VALIDATION) BILL, 2018

Order for second reading read.

The Minister in the Ministry of the Attorney General and Legal Affairs (Hon. Fitzgerald Hinds): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I beg to move:

That a Bill to validate the constitution of licensing committees established under section 5 of the Liquor Licences Act, Chap. 84:10 as well as the grant, transfer and renewal of licences and all other acts and omissions by licensing committees and for related matters, be now read a second time.

Mr. Deputy Speaker, the Liquor Licences Act which is of course an Act of

Parliament, Chap. 84:10, was established by Act No. 27 of 1955. It has been, since its establishment, amended some 25 times and lastly so in 2015. Under this Act, it relates to, articulates with, several other laws and there is an obligation brought over from our pre-independence experience for the magistrate sitting in magisterial districts and in Tobago, to sit as chairperson on these licensing committees established under that Act.

Mr. Deputy Speaker, section 5 of the Liquor Licences Act says, and I quote:

“(1) There shall be a licensing committee for each magisterial district which shall consist of the following members:

- (a) the Clerk of the Peace or, where more than one Clerk of the Peace is assigned to a Magisterial District, a Clerk of the Peace designated by the Chief Magistrate;
- (b) one person, or his alternate, nominated by—
 - (i) the Tobago House of Assembly, in the case of Tobago; or
 - (ii) the Municipal Corporation of the municipality in which the Magistrate’s Court is located; and
- (c) one person nominated by the Minister in consultation with the local business associations or his alternate.”

And, Mr. Deputy Speaker, back in 2011, the then Minister of Legal Affairs, the hon. Prakash Ramadhar, who is still here with us, brought a policy paper to the attention of the national community identifying that the magisterial time and its use was critical. This came after some studies on the affairs of the Judiciary and how it related to dealing with the crime and other pressing circumstances in Trinidad and Tobago. Recommendations were made that there should be more effective use of the magistrates’ time, given that sitting in these committees, considerable time was

spent dealing with issuing various licenses under this law, and, Mr. Deputy Speaker, it was felt that that time could be better utilized focusing on core criminal charges and criminal issues.

Secondly, the fact that many licences really found themselves without direct involvement of members of a community, and in 2011, as I said, Mr. Deputy Speaker, the then Government recognized that we should reshape and reorganize the Magistracy in particular, taking away from them that responsibility of conducting the licensing or chairing the licensing committees.

Several other laws as I said a while ago, Mr. Deputy Speaker, articulates with and works with and relate to this Liquor Licences Act, in particular, the Excise (General Provisions) Act, Chap.78:50; the Moneylenders Act, Chap. 84:04; the Pawnbrokers Act; the Licensing of Dealers (Precious Metals)— and Stones— Act; the Old Metal and Marine Stores Act; the Cinematograph Act; Registration of Clubs Act and the Theatres and Dance Halls Act, nine pieces of law working together, routed in the section 5 of the Liquor Licences Act, as I have just explained, where a magistrate and two other persons constitute the licensing committee, supported by the secretary to the committee, that is to say, the Clerk of the Peace. As I indicated, the view was that magistrate should be focusing on other matters.

Mr. Deputy Speaker, the liquor licensing amendment which came in 2014 recognized that all of these laws that I have just mentioned to deal with cinemas, dance halls, pawnbrokers, precious metals and so on, the licensing for them, the renewal of licenses, transfer of licences by several laws, really could be dealt with from an administrative stand point under the direction of the Clerk of the Peace and other persons sitting in the committee.

And, Mr. Deputy Speaker, an attempt was made to establish that in law. So

in 2014 this Parliament then debated and passed the Miscellaneous Provisions Act on the 21st of July, 2014. And it was passed to give effect to the policy as I have just described it. Unfortunately, this Act was proclaimed and therefore came into operation of law Trinidad and Tobago but the then Government did not constitute the committees that had to give life to this amendment and none of these committees were populated and they did not go into effect along with the other things that were necessary, prolifically even to give effect to this law. And it was not until 2016 when a new Government came into office, this Government, that that problem was identified. And of course we set about putting in place all of the issues that had to be put in place so as to give life to these committees in order to give effect to the law that was passed in 2014, to which I referred a while ago.

And therefore, Mr. Deputy Speaker, we find ourselves today having to treat with this problem, this matter to rectify it began in the other place and was passed therein or thereat. And so today this matter is before us for the consideration of this House. Mr. Deputy Speaker, we had a number of things to do in order to give life to this and we set about doing just that. As I indicated there are nine other laws which we have identified touching and concerning this, Liquor Licences Act. These have to do with pawnbrokers, moneylenders, precious metals, occasional licences, special events, special restaurant and such like. In the period 2018 to 2019, across the category of those licences we identified at a minimum some 14,596 licences that were issued, granted, dealt with, renewed by the committees led by magistrates as if the new law never came into effect. So that clearly was a problem and therefore there was clear need to validate the actions of that on those committees in the 12 magisterial districts and in Tobago, they having functioned as though the law of 2014 did not exist. So we have a problem and the solution as we identified it, is the need to validate the acts and decisions of those committees.

Mr. Deputy Speaker, the Bill before you today is a very short one and it carries a mere eight clauses. A very long Preamble, but eight clauses. In clause 3, we defined the Act to mean the Miscellaneous Provisions (Licensing Committee) Act of 2014, to which I made reference a while ago. That was the law which amended the Liquor Licences Act and passed which was never given life to, which was never effected since 2014. The:

“‘licensing committee’ means the licensing committee constituted pursuant to the Liquor Licences Act, prior to...coming into force of the Act...

‘specified period’”—that I will make reference to, Mr. Deputy Speaker, by way of our definition—“means the period commencing on the 21st July, 2014 and”—which will end—“on the commencement of this Act.”

This Bill when it becomes an Act or the law of Trinidad and Tobago.

And let me go then to clause 4, which says, and this is the validation provision, validating the constitution of the licensing committee. And it says, Mr. Deputy Speaker:

“A licensing committee constituted during the specified period”—that is to say, July 21st, 2014 to the date of the commencement of this law, this new law—“is deemed to be lawful and valid to the extent that it would have been lawful and valid had the Act”—meaning the 2014 Act did—“not come into force.”

So what we are doing here, Mr. Deputy Speaker, is validating, as I indicated earlier, all of the acts and decisions and omissions and proceedings of licensing committees, after 2014 when that Act came into force. Clause 5—so we have in clause 4, we are attempting here to validate the licensing committee. But in clause 5 we are attempting to validate, we are proposing validation of the Acts, decisions, omissions and proceedings and it reads as follows. Clause 5:

“An act, decision, omission or proceeding of a licensing committee done, taken, made or conducted during the specified period is deemed to be lawful and valid to the extent that the act, decision, omission or proceeding would have been lawful and valid had the Act not come into force.”

Clause 6, we are validating, we are attempting in this clause to validate any determination or finding or order of the court. And it says in clause 6:

“An order or determination made by a Court during the specified period”—meaning from July 21, 2014, to the passage of this Act, and it being given effect—“is deemed to be lawful and valid to the extent that the order or determination would have been lawful and valid had the Act not come into force.”

And we move now to clause 7, Mr. Deputy Speaker, which says subject to subsection (2),

“(1) ...no legal proceedings or other action of any kind shall be commenced or continued against any person in respect or in consequence of an Act, decision, omission or proceeding of a licensing committee done, taken, made or conducted during the specified period if such Act, decision, omission or proceeding would have been lawful and valid had the Act not come into force.”

3.30 p.m.

This is effectively granting an immunity from suit against any person in respect of any act or decision or so, taken during the specified period. So, so far, Mr. Deputy Speaker, all that I have read so far in clauses 4, 5, 6 and 7, is designed to validate the committee on the one hand, their acts on the other hand and determinations, any orders made by those committees and, of course, to provide for immunity from legal suit.

And clause 7(2):

“Nothing in subsection (1) shall affect the right of any person to any legal remedy which he would have had in relation to any act, decision, omission, or proceeding of a licensing committee, if the Act did not come into force.”

So it is here preserving the legal remedy available to anyone who is aggrieved, whether such proceeding has already started or is to commence. And therefore, we are not taking away or attempting in these measures to take away from that legal right. “Notwithstanding”—and this is clause 7(3):

“Notwithstanding any law to the contrary, a legal remedy referred to in subsection (2) may be obtained in the same manner that it could have been obtained had the Act not come into force.”

And, of course, I proceed swiftly to the final clause in this Bill which is clause 8, which says:

“Any proceedings commenced during the specified period”—I alluded to that a while ago—“pursuant to the Liquor Licences Act, which would have been lawfully and validly commenced if the Act had not come into force, may be continued and dealt with under the Liquor Licences Act as if the Act had come into force.”

Mr. Deputy Speaker, these are the measures—as I have quoted them—that we propose in this Bill. They immediately raise certain issues which I shall attempt to address. For one thing, Mr. Deputy Speaker, the measures that we have before us today would require a special—

Mr. Ramadhar: Majority.

Hon. F. Hinds: They are inconsistent with the Constitution and therefore will require a majority vote. The reason for that is that at clause 7, as I read it a while ago, it denies someone the opportunity to sue on the basis that the committee was

ultra vires, because we are here validating all that was done, including the committee itself. So clause 7 of the Bill, providing immunity from suit under the Liquor Licences Act, interferes with the section 5(2)(e) right in the Constitution, and it is for that reason that this measure will require a three-fifths majority.

There is another issue that was raised in the other place and no doubt might be raised here this afternoon if I do not address it now, is the general question of the constitutionality of these measures. Mr. Deputy-Speaker, there are those who expressed the view, and may express the view, that since these committees acted in quasi-judicial function, the question arose, and will arise, whether this Parliament, acting today in an attempt to validate acts and omissions and proceedings of a time past, whether it is proper and right, whether it is constitutional to validate judicial decisions. Mr. Deputy Speaker, this is what I should now address. What are the tests of constitutionality? Within the meaning of section 13(2) of our Constitution, it is expected that the measure—and these are all well-articulated in a thousand and one cases decided by our Court of Appeal and our highest court which still is, on account of the conduct of those on the other side, the Privy Council.

Mr. Ramadhar: Thankfully.

Hon. F. Hinds: Just in passing, my colleagues on the other side fully supported full ascension to the full jurisdiction of the Caribbean Court of Justice at one time, and in their usual manner, changed course along the way. So for the time being we still have to work with the Privy Council. [*Crosstalk*] And, Mr. Deputy Speaker, in interpreting section 13(2) of our Constitution, whether it is in the Northern Construction case, Maharaj and the AG, the De Freitas case, the Oakes case, the Francis case, and many others, the court has signalled, has identified, has laid down, that you have to demonstrate that this measure you are now trying to effect, while it may be, on the face of it, or it may be inconsistent with the Constitution, it

is permissible, as the very Constitution allows, if there is established clearly a legitimate aim.

And I submit that the aim that we are attempting to achieve here today is to validate certain decisions that have already been taken affecting the lives and the business of many organizations, and people, and circumstances in Trinidad and Tobago. Because this is Tuesday the 18th of June, 2019; the problem arose since July the 21st, 2014, when an amendment to the Liquor Licences Act was moved and passed and proclaimed, and the committees that should have given life to it were not administratively effected by those who had responsibility at that time and the old structures continued making these decisions, serving the people of Trinidad and Tobago.

Many of these things are truly historic. They are gone. Events are gone. It is all a matter of history. But from a strict legal and even constitutional point, they now require validation. And, therefore, there is a very legitimate aim which is to lay right that which has been laid wrong—a very legitimate aim. And we are confident that the courts of Trinidad and Tobago, and the Privy Council, will be satisfied that that is, indeed, a legitimate aim.

Secondly, Mr. Deputy Speaker, the principles as laid down in the cases that I have identified by the Privy Counsel and our Court of Appeal, they want to be sure, or we must be sure, that the measures that we propose, as I have proposed them to the House today in eight short clauses, are rationally—and I am using my words—rationally, reasonably, logically, rooted in the measures that we propose. So I have argued that it is legitimate, but in the proposal for a solution it has to be rooted in that legitimate aim. And I am confident that the eight clauses I have just spent a little time elucidating upon, are, indeed, rooted in the very legitimate aim of setting right that which was laid wrong since 2014. And, therefore, again we are

confident, as a Government, that it is rationally rooted.

And thirdly, the courts have laid down in those cases that the measures that you offer by way of solution, must equate; they must match the problem and the legitimate aim that you are trying to achieve. It should not go beyond that. You should do only that which was strictly necessary, if I can put it in that term. In legal terms it is called proportionality. And, therefore, Mr. Deputy Speaker, nothing I have read in these eight clauses appear to us to be disproportional, and as I engage my colleagues on the other side and offer them a solution to a Trinidad and Tobago problem, one that we face, we share; not this side and that side; this is a national issue and we are all affected by it, and we are here to fix it in a mature and systematic and admirable manner today.

So it is proportional and all of this against the background of the observation of the Constitution in section 13, adumbrated and articulated by courts in the cases I have identified over, and over, and over, all of this, in accordance and in keeping with a society that has respect for the rule of law in this civilized democratic society.

Mr. Ramadhar: Would the Member give way?

Hon. F. Hinds: Yes, indeed.

Mr. Ramadhar: Could you indicate to this honourable Chamber when it came to your Government's attention that the committees were not properly constituted?

Hon. F. Hinds: Well, I went to the office of the Attorney General and Legal Affairs about a year and a half, I think—or so ago—so I do not know what transpired before that. But what I do know it is from the time I got there, I have noticed the hon. Attorney General, young and bright and beautiful as he is, working constantly and tirelessly on all aspects of law and the Constitution, in particular the criminal justice system in Trinidad and Tobago, improving the fabric

bit, by bit, by bit, whether it is in terms of our—

Mr. Ramadhar: Could you just answer the question?

Hon. F. Hinds: I am answering your question. I am answering. In other words, I am submitting to you, hon. Member for St. Augustine, he has—we have wasted absolutely no time [*Desk thumping*] since we came to this. And we have achieved much, and as we go along the platform and we identify issues, as we have identified this—

Mr. Deputy Speaker: Hon. Member, again, direct it to the Chair—

Hon. F. Hinds: I am so sorry—identifying a matter, a mess that was created in 2014. I “doh” know who wants to take responsibility for it. I cast no blame, but I cannot deny that we are talking about July the 21st, 2014, and we are here today to sort it out. And I just want to comfort my friend, and he can look on the evidence. Look at our legislative agenda, look at how much we have accomplished, whether it is establishing a Criminal Division in the court, a Family Division—oh my God—increasing judges by about 57 per cent. We have done so much. I am proud. [*Desk thumping*] And in addition to that, we come to clean up a little mess that was created in 2014 here today. So let us not trouble ourselves with that too much. Let us not trouble ourselves.

So, Mr. Deputy Speaker, I think the question of constitutionality is pretty well settled, and as I indicated earlier, clause 7 of these measures actually preserves the right of individuals to seek redress if they had any reason so to do. The question of validation for the citizens of this country, I know every single one of my colleagues in this 41-Member House, would be very familiar with validation law but for citizens of the Republic it may appear new to validate, to make good, to make sound, to make legal, that which may have been ultra vires, or that which sometimes may have been illegal.

Validation laws are not new to Trinidad and Tobago. For example in 2011, right here, we had in respect of the Census Order in 2010, we had a Validation Act in order to extend the date for completion of that census. That was done in 2011. And around January 2017, the President of this country had specified the 3rd of January, 2017 as nomination day in the THA elections, and the 23rd of January, 2017 as election day. [*Crosstalk*]

Mr. Deputy Speaker: Silence on both sides, please.

Hon. F. Hinds: I am being disturbed by the Member for Siparia.

Mr. Deputy Speaker: Member, Member. [*Crosstalk*] Proceed, Member. Silence on both sides.

Hon. F. Hinds: Thank you very much. The election writ was provided for the election to be staged within 21 days and as they counted back there was a bit of a miscount and we found ourselves, as a nation, having to pass validation law in order to make good that issue. This happened in New Zealand, in Australia and I can give examples of that, but there is no need. I think there is no dispute. There is no disagreement that validation law is not a strange thing. And among the functions of a Parliament is what we call the curative function. When we discover any lacunae, when we discover any need for validation, as we do on this occasion, we can easily do that, and many countries of the world have done that. So we are here today with a validation law.

So, in summation, we have a law that was passed to amend the Liquor Licences Act, Chap. 84:10, in 2014. It was designed to reconstitute the licensing committee under section 5 of the law. It was designed to remove the magistrate from on the platform and to replace the magistrate with a Clerk of the Peace against the backdrop of a policy that we should use magistrates' time more meaningfully, the licensing arrangements being largely administrative and we

could make better use of the magistrates' time.

All the systems that were supposed to have been put in place for the committees were not put in place and, therefore, we are here today, as this Bill seeks to validate the Constitution of the old committees as they existed before the amendment of 2014. That is to say, the magistrate and two other persons should be replaced now by a Clerk of the Peace and a person appointed by the Minister and one authorized officer. And this Bill is to validate the grant of the licences that would have taken place since then. It is important for me to say this does not attempt—and we have made that clear, which I have read earlier. It does not attempt to validate unlawful actions. It seeks, and it expressly says, it is an attempt to validate only lawful actions and acts on the part of those committees since that time, during the specified period. And as I indicated ad nauseam earlier, it does not remove the right of any aggrieved person to seek redress in other forms. And, of course, this Bill is also designed to validate all other acts, meaning peripheral matters. Apart from the committee itself, apart from the orders, and so on, it is designed, as well, to validate all other acts.

So, Mr. Deputy Speaker, I do not think there is much else useful to be said. I would like to commend these matters to the House, matters with which my colleagues on the other side are quite familiar, they having done the amendment in 2014 of which I spoke, they having become aware since then of the problem of which I spoke, they having heard me elucidate on the legitimate aim, on the proportionality, on its rational rootedness in that legitimate aim, and they having understood the social impact of all that has happened since July the 21st, 2014, and they having understood, as former Ministers of government and longstanding Members of Parliament, the importance of setting these matters right.

And with that said, I would like to commend these matters to my colleagues

in this House for safe and swift passage in order that we could continue the good governance and the conduct of the business of the people of Trinidad and Tobago.

I beg to move. [*Desk thumping*]

Question proposed.

Mr. Deputy Speaker: I recognize the Member for St. Augustine. [*Desk thumping*]

Mr. Prakash Ramadhar (*St. Augustine*): Thank you very much, Mr. Deputy Speaker. No less than five times my learned friend from Laventille West referenced the failure of the People's Partnership Government to populate committees after the amendment that came into law on the 21st of July, 2014. Nothing could be further from the truth. [*Desk thumping*] I have had the benefit of looking at the debate in the Senate where the learned Attorney General—and I wish he was here, because I make no attack on him. But when I look and I have read the *Hansard* of what he said, I am deeply troubled. He says:

“Unfortunately”—and this is on the 7th of May, 2019, at page 42—“the Act was proclaimed and came into operation, but the then government did not constitute the committees. None of the committees were comprised; none of the members were populated and none of the bugs were sorted out in the system.”

And during his contribution, he launched an attack on Kamla Persad-Bissessar and the Attorney General of the day, Mr. Anand Ramlogan. And I want to say, Mr. Deputy Speaker, that there has come into this society a belief that you could say what you want and for others to just go as blind sheep and follow you along, as if what you have said was true. The entire debate went on the basis that the former government—of which I was the Minister of Legal Affairs and for which the work we have done, I am very, very proud. [*Desk thumping*] And let me put this in context. When the elections were won by the People's Partnership in 2010, I was

handed the honour of leading the Ministry of Legal Affairs, and when I went there I was met by a populated ministry of some of the finest civil servants you will ever have the privilege to have met. And one thing was obvious—and this is not to say any untruth—that they spoke of the mother of that Ministry, the person who formulated, who birthed it and mothered it, Kamla Persad-Bissessar. [*Desk thumping*]

And I am saying this so that we put things in context because of the attacks that were made in the Senate on the former Prime Minister and the present Member for Siparia, that the work that was done in that Ministry transformed the delivery of services to our population. And I had to honour that work. And I was given the responsibility for delivering to the population things that, for many years past, had been more of a burden and a trouble, things that they would have required: birth certificates, death certificates, deeds and a host of other services, and we worked to honour the work of the Member for Siparia to make it the best delivery Ministry in this country. [*Desk thumping*] Her name to this day, if you walk into that Ministry—and we are paying for those who populate now the leadership of the Legal Affairs Ministry, that the work done by the People's Partnership and the UNC in a former iteration—is still revered. [*Interruption*] I will not give way now.

Mr. Hinds: But I gave you way.

Mr. P. Ramadhar: Yes, because your way is to make trouble and to give false information.

Mr. Indarsingh: Yeah. False information. [*Desk thumping*]

Mr. P. Ramadhar: One of the first requests of the Prime Minister in 2010—
[*Crosstalk*]

Mr. Deputy Speaker: Silence.

Mr. P. Ramadhar:—to put things in context, was to make available all of these services, not just in the Ministry location in Port of Spain, but throughout the length and breadth of Trinidad and Tobago. And what we did, with the help of that wonderful group who—I do not know what has happened since you all took power, but all of the efforts that made the Ministry a really shining example of delivery is really a painful disgust for many. What we did was that we spoke to every regional corporation—the Member for Siparia may well remember—and we got the permission to use offices in those regional corporations free of charge, no rent, and we put persons who were already in the Ministry to populate those offices so that persons did not have to travel to Port of Spain or to San Fernando.

And, in fact, one of the first offices that we had opened was the Legal Affairs office in Point Fortin. We did so in Tobago, we did so in Diego Martin. We made Arima the “prime-est” example of what a true Ministry should be. And I could go through the length and breadth of Trinidad and Tobago, all for no expense, and I will connect that in relation to what we are debating here a little while from now.

I have heard the Member for Laventille West say that they had to clean up a mess that was created since July 21, 2014. He boasted to himself, and arrogated to himself, this belief that the former government did not do what it had to do. This narrative that has haunted the population from the beginning and end is that “they are incompetent” or “you are corrupt”. That is their story. But what is the truth? [*Desk thumping*] And I want, like many right-thinking citizens in this country, that when you say some things often enough and with the bravado and the shameless bald-facedness of some in such a way that people will want to believe what you are saying is true, and I now wonder, all these allegations I have been hearing for so long against colleagues and the former government, how much of it is true. [*Desk*

thumping]

Because not just in the Upper House the Attorney General spoke on this matter, but here today, and six times, and maybe even more, he blamed the former government for not doing things that were supposed to have been done. Mr. Deputy Speaker, it is painful, because I myself, when I heard we have to validate, I say, “Wait a minute, but did we not do all these things?” I always doubt myself first. And I had to call up members of the Ministry to confirm and to validate my belief that we had done everything that was necessary.

Hon. Members: Yes. [*Desk thumping*]

Mr. P. Ramadhar: But before I come to that, I asked the question, and today he rambled all over without a straight answer, wishy-washy: “When did it come to your attention that there was a problem in relation to this?” He could not give an answer. He start to talk about how much “ting dey ha tuh do”. Of course, you are a minister. You are supposed to do many things. That is your job. But do not come here today and talk about constitutional requirement on a falsehood that you have created.

The Attorney General is on record, Mr. Deputy Speaker, saying that this came to his attention in 2016—in 2016. Three years after we are here talking about constitutionality to validate judicial Acts. And you know the dangers that would have been created there in terms of licensing, in terms of business, the judicial reviews that could have come, that the appeals that could have come from that, the expenses that a government would have had to bear if there were errors in the law on that. But you waited three years on the word of the Attorney General and not a word from the Member for Laventille West, “becor dey busy wit all kinda thing”—

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

Mr. P. Ramadhar: “Lemme” tell you what really happened. And I am not going

to be long and please do not judge what I am about to say by the shortness of the delivery, as to the gravity of what I am about to say. [*Desk thumping*] It would have taken no effort, none whatsoever, because the documentation would have resided in the Ministry of Legal Affairs, and the Attorney General and Legal Affairs. When this law was actually proclaimed on the 21st of July, we did not wait for the proclamation to start work, you know. In the Ministry we had already spoken with this new paradigm. We were going to remove the need for a magistrate to make decisions on administrative issues and leave the magistrate really to deal with what they are paid for, what they are created for; make determinations on criminal and many other matters. We thought if there was no objection to any of these licences, we had fulfilled all the requirements, for instance, of local government, of the Ministry of Planning, of fire, and of health and so, once all those approvals were there, it would become an administrative act and you just go and pay and you get your licence. If there were objections, for instance with bars, where there might be traffic issues, noise issues, nuisances and of that sort, the first port of call would have been to try and mediate this thing.

4.00 p.m.

So that is why it created a committee headed by a Clerk of the Peace who would chair and for members of the community from local government and from the business community. So the first port of call for any objection is to try and work it out because businesses have a right to survive and people have a right to peaceful enjoyment of their homes. If, for instance, that could not have occurred, then and only then would it have gone to a magistrate for ultimate determination; and that was good law. And in that amendment also, what we did is that we expanded the ability to object to licences. And my friend from San Fernando East will know a well-known establishment in south that I had the privilege of

representing last year and this year on similar matters where the expanded issues of nuisance was actually put into play.

Mr. Deputy Speaker, I have in my possession—“they say ah picture paints ah thousand words”. I am not going to bandy it about but I will make it available to the media of the Honourable Chief Justice—

Mr. Deputy Speaker: Member, again, you said it so please. [*Interruption*] No, but you just had it in a position where it was visible to me at least. All right, so please.

Mr. P. Ramadhar: No problem. But I will make it available to the media. I have in my hand a picture, a photograph, of the Honourable Chief Justice handing over an instrument of appointment to the committee of the liquor licensing committee and the other committees.

Mr. Indarsingh: Laventille West, you are a stranger to the truth.

Mr. P. Ramadhar: I have in my hand also, in this left hand, a picture of the Chief Magistrate, posing very beautifully, handing over another instrument of appointment to a member of the committee. I have also in this left hand a picture of the then Minister of Legal Affairs handing over another instrument of appointment to a member of the committee. All they had to do was to pull some drawer somewhere and all of these documents would have been found. [*Desk thumping*] Do you know the date on those letters of appointment? Do you know what the date is? Member for Laventille West, I am sure you know by now. “If yuh doh know, lemme tell yuh.” 20th of November, 2014.

Hon. Members: Ohhh.

Hon. Member: Shameless, shameless. [*Desk thumping and crosstalk*]

Mr. P. Ramadhar: So if at this very simple issue, and I know you did not intend to mislead this House, not once, twice, three, four, five, six times.

Hon. Members: All the time.

Mr. P. Ramadhar: Could it have been your intent? Could it have been the intent of the Attorney General in our honourable Senate to do these things? But you know what is even worse? You know what is even worse? Persons who were appointed to those committees and I tell you this, we populated every committee in Trinidad and in Tobago at least by November of 2014. [*Desk thumping*] The one thing that we are prohibited from doing, Mr. Deputy Speaker, is this. The law says that the Chief Magistrate—the Judiciary—had that responsibility to appoint the chairman who will be the Clerk of the Peace. [*Interruption*] I am happy, Member for Chaguanas East, that you raised that.

When we came in and the Prime Minister gave the instruction to make life easy for the people of Trinidad and Tobago, I immediately started to have conversation with the Chief Justice as to how we are going to do this. And do you know how long it took for the Judiciary to agree to this very useful and helpful time-saving effort? A minimum of two years and I could not understand why because we wanted to save time to let the Judiciary do the work of criminal justice and other things. But a friend of mine, close to the Judiciary, tells me, you know, “Do you know that the system allows for members of the committee, including magistrate, to get ah little extra money?” “Ah sorry, ah doh want to cast any aspersions.”

Mr. Deputy Speaker: Member, Member, again, I was trying to get the angle exactly what you are doing. Right. You spoke about the Chief Justice, now you are mentioning the Judiciary. I will prefer that you stay away from those two aspects of—and then, you know, the terms that you are using please nah, please.

Mr. P. Ramadhar: But the tenor of this is about the responsibility of the Judiciary and of the Executive.

Mr. Deputy Speaker: But you are going down a road that you have just started. And are you sure you want to go down that road?

Mr. P. Ramadhar: I will bring it to a quick close. Now, the point being is it took a long time for us to get approval, two years, at least two years. And now, when the law was passed and we populated the committees in 2014—I am a citizen, at the time Minister, and realized, wait a minute, we saw the advertisements go out for those who wish to apply for the renewal and so of liquor licences but the same old system was in place. Through the then Permanent Secretary, Mr. Bernard Sylvester, letters and communication went off to the Chief Justice and the head of the Judiciary to, look, get this thing going.

In fact, when we demitted office, it was I who spoke to the then Attorney General very early on and said this is a problem waiting to happen, let us get this thing going. So he says in the Senate that it came to his attention in 2016. How many years is that? Three years and you come here to talk about validation of things done and you allowed it to happen in 2016, 2017, 2018? I cannot speak—maybe even in 2019? But then want to heap all the blame on the former administration and “talk how yuh too busy to do what yuh had to do”? [*Desk thumping*] So I apologize for all those who I may have negative thoughts about because of all this propaganda that I am hearing over and over that I may have started to believe a lot of the falsehoods. I do not know in this country of fake news now what is real and what is not when there is evidence, a preponderance of it.

And I was making the point—what is even more atrocious is that members of the community who had been appointed to these committees throughout the length and breadth and we hosted an event at Kampo restaurant and delivered instruments to most of them. It was a very rainy evening and some did not come

but within a week or two, they were all handed or all delivered since at least November of 2014. [*Desk thumping*]

And the reason I had raised the money issue is this. Do you know—because when the Partnership Government held office, there was “ah kinda” knowledge that the Partnership was about people and the Government and the Government caring for the people. And you know what? The people started to care for its Government. But then the election had come, of course, and that propaganda and—we paid a price for it for whatever reason. Do you know not a single member of those committees—“ah pause”, members of the press—asked for a single cent? Volunteered, donated their time because they thought it was something good that they were now being involved in, you know, revitalizing the communities, the community involvement in things that mattered to them and we were able to do that. [*Desk thumping*] We did not have to wait to go through—what shall I say? Bureaucratic red knots to get to that. We called and spoke to people like we did when we opened those 14 offices throughout the length and breadth of this country. [*Desk thumping*] So do not tell me you knew since 2016 and did nothing about it other than to bring laws since 2018 and debate it up to last month and then come here and not speak about the fact—this is the fact—that those committees were populated in 2014.

Do you know, Mr. Deputy Speaker—and I had the good fortune, these photographs and it showed up one fella in particular who might be well known; a man who has dedicated his life to the service of the population. I had known him many years before. A man who could be described as “salt of the earth”, a true patriot to this nation. A name: Peter Kanhai. You all know that name? This is in 2014, donated his time, free of charge and he too and we have the photograph—I will not show it to anybody unless this side wants to see it—of he being handed his

instrument.

Mr. Indarsingh: “Ah seeing it very good.”

Mr. P. Ramadhar: That is the man himself, November 2014. Why this is interesting is this. They say that they did not know about the committee because we did not populate it, but I was able to communicate with the ever helpful Mr. Kanhai late last night because he was busy doing some work down, I think, in Couva South and he told me, he say “Wait ah minute, you know Prak, I received a letter from the Ministry of Trade and Industry since May 2018”, and if you would permit me just to read this. Member for Siparia, I think you should pay some attention to this please. It says—and I shall not read the entire thing, this is the third paragraph letter:

In April 2018, the Cabinet of the Republic of Trinidad and Tobago confirmed the validation of acts pertaining to the licensing of certain persons and premises for the purpose of carrying various businesses.

This pertains to the reconstitution of the liquor licensing committees. The very person who was in the original committee, you are reconstituting with the very people that were there already. So it raises grave concerns that you did not know that the committee already existed. “Yuh reconstituting like if is juice.”
[*Laughter*] Sugar free though.

And then, another letter dated 30th day of April, the Attorney General—
[*Interruption*]

Mrs. Persad-Bissessar SC: What year?

Mr. P. Ramadhar: I beg of your pardon, 2018.

The Attorney General, in accordance with the provisions of section 5 of the Liquor Licences Act, Chap. 84:10, has been pleased to appoint you, Peter Kanhai, member of the Liquor Licensing Committee for the licencing

district of Tunapuna.

April 2018. How come, of all the people in the world, you chose the Chairman of the UNC to reconstitute? “Dah was coincidental” or that you knew—and I am not blaming the Attorney General eh, I have great love and respect for the man, I think it is somebody somewhere in that Ministry giving him bad information. “It cyah be otherwise”. It cannot be otherwise. I cannot imagine an Attorney General being given information about this, these committees and then saying something else. I cannot imagine that, “it hard”. But somebody gave him wrong information. Laventille West, you had any help in this? [*Crosstalk*] Who misled the man to go into the Senate and “yuh come” here today? You and all in this? Who is doing this and what else have they done? What else will they do? I do not know. [*Crosstalk*] Mr. Deputy Speaker, what else will they do? And you know, nobody wants to speak about the Judiciary and that sort of thing so I will not.

But I want to just, as I take my seat. [*Crosstalk*] “What? Yuh have ah—yuh reconstituting something?” Or. That here we are, called to really clean up “ah mess” created by—I shall not name who but what I will tell you is that it was not anybody on this side. [*Desk thumping*] But you know, the Member for Caroni Central made a most significant statement earlier today when he said part of the narrative really is to identify villains in the society and that has been the hallmark of my friends on the other side to identify villains when those who they have identified did nothing wrong and therefore, I would expect an apology from my learned friend from Laventille West [*Desk thumping*] and certainly, when you inform the learned Attorney General when he returns, I know he as a gentleman too would openly apologize to me as Minister of Legal Affairs and the Ministry of Legal Affairs and the administration of Kamla Persad-Bissessar of 2010 to 2015 for the atrocity of misinformation that you have lauded on our heads. [*Desk*

thumping and crosstalk]

So, Mr. Deputy Speaker, this is the people's business. Whoever may be at fault, once again, the Opposition is called upon to help rescue this nation. [*Desk thumping*] Whether it is FATCA, whether it was freedom of information and today, this piece of legislation to validate an illegality that was allowed for years, through no fault of anyone on this side but yet we were blamed. Mr. Deputy Speaker, I am sure my learned friend, I see the Member for Princes Town ready to "light dem up" as they say and I wait to hear from him. I thank you for the opportunity. [*Desk thumping*]

Mr. Barry Padarath (*Princes Town*): Thank you, Mr. Deputy Speaker, for the opportunity to contribute to the Licensing Committee (Validation) Bill, 2018. I also want to congratulate the Member for St. Augustine [*Desk thumping*] for putting the facts on the record as to how we arrived at the situation that we did, as well as giving an account for the history of what really occurred.

Mr. Deputy Speaker, I had the opportunity to review the *Hansard* of the Senate contributions by the substantive Attorney General on this particular Bill and the concerns that the hon. Attorney General, the substantive one, spoke of. Mr. Deputy Speaker, while we are here and this Bill is asking us to regularize improperly constituted licensing committees and the work done by the committees in 14 districts since 2014 when the liquor licences was last amended, you would be quite surprised to know that contrary to the contribution made by the Member for Laventille West, the substantive Attorney General, the Member for San Fernando West, in his contribution in the Senate, indicated that out of the 14 districts, most of them were properly constituted 2014 to where we are today. Mr. Deputy Speaker, this follows on what was shared by the Member for St. Augustine in terms of what occurred with respect to the appointments coming from the

Judiciary.

So, Mr. Deputy Speaker, we on this side, we did our part and that was very clear. What is not surprising and not strange is that it took three and a half years for this Bill to be brought but in two days, two days, Members opposite brought back a Bill from the Senate to pay themselves hefty pension hikes. [*Desk thumping and crosstalk*] The Member for Diego Martin North/East is reminding, the haste was really one day and not two.

Mr. Hinds: Mr. Deputy Speaker, the Member—please. Mr. Deputy Speaker, Standing Order—[*Interruption and crosstalk*] You were distracted so I am now bringing to your attention. I am rising on the fact that the Member for Princes Town is introducing a matter that we debated earlier in this House. [*Continuous crosstalk*] Standing Order 48(1).

Mr. Deputy Speaker: Member, hold on. [*Interruption*] Member for Couva South, please. Yes, what Standing Order, Member?

Mr. Hinds: I am rising, Mr. Deputy Speaker—I know you were distracted by the Chief Whip and the Leader so I am giving you an explanation. [*Interruption and crosstalk*] The Member for Princes Town—

Mr. Deputy Speaker: One second. What Standing Order are you on? I want the Standing Order first.

Mr. Hinds: Standing Order 48(1).

Mr. Deputy Speaker: Right, expound please.

Mr. Hinds: Let me expound. [*Crosstalk*] The Member for Princes Town found himself dealing with a previous Bill we debated in this House today about pensions and salary when in fact we never discussed salary but the Member for Princes Town was speaking about that in this debate to deal with the liquor licences amendment. Thank you.

Mr. Deputy Speaker: Member, thank you. Again, Member, tie it in and let us go.

Mr. B. Padarath: Thank you, Mr. Deputy Speaker. I am not surprised by the arguments being put forward by the Member for Laventille West because the substantive Attorney General did quite a better job in terms of dealing with what the issues are affecting this particular piece of legislation. [*Desk thumping*] I would like in his wrapping-up, the Member for Laventille West to indicate whether or not the substantive Attorney General shared with him what were the other options instead of bringing this particular piece of legislation as the substantive Attorney General alluded to in the Senate. So that is one particular area that I would hope that the Member for Laventille West will speak of.

Mr. Deputy Speaker, while in effect the Bill is asking that we validate and give immunity to licensing committees for acts, decisions, omissions and proceedings, this is not only for liquor licence, they are also for moneylenders, pawnbrokers, night clubs, some recreational clubs and movie theatres. This is against the backdrop—the backdrop that was shared by the substantive Attorney General when he told us that 2014 to present day, we have had over 15,000 licences being issued by these committees. And therefore, Mr. Deputy Speaker, a part of the work that has been done between the period 2014 to where we are today is 15,000 licences. However, the substantive Attorney General did not share with us the issue of those licences that were rejected and were actually appealed.

And, Mr. Deputy Speaker, if we were to do a comparison in terms of the validation of the licensing committee and we look at the UK model, you will see that in the UK model that there is actually a subcommittee of the committee that deals with the issue of appeals and therefore this is something that I was also hoping that the substantive Attorney General, the Member for San Fernando West,

would have been able to address because the hon. Member, together with the Member for Laventille West, gave us a long song and dance in terms of what Government is trying to implement with respect to speeding up the criminal justice system and the courts and so on.

Mr. Deputy Speaker, two Senators in particular shared some concerns with this particular Bill and I thought that it was very important to bring light into their house in terms of what their concerns were and those Senators were Sen. Vieira and Sen. Varma Deyalsingh. And, Mr. Deputy Speaker, this may very well be one of the most important piece of legislation that this administration brings, even though it is not a specific intention in terms of the legislation and the legislative agenda that was espoused to us prior over almost four years ago when this administration came in. Both Sen. Vieira and Sen. Deyalsingh raised the issue of constitutionality that the Member for Laventille West also spoke about, the issue of separation of powers, the issue of retrospective legislation, access to the information by the public, data, reliable registry and updated information for the public, immunity—and I will come back to the issue of immunity because the hon. Member for Laventille West said that we were only validating lawful action and there were several questions that were raised by both Sen. Deyalsingh and Sen. Vieira with respect to that particular issue, also the validating of decisions made by quasi-judicial bodies, again raised by the Member for Laventille West, the Parliament's jurisdiction to validate a judicial Act.

And, Mr. Deputy Speaker, what caught me by surprise is that these are very important issues and that is why I say that this may be one of the most important pieces of legislation brought by this administration because it deals with the fundamental pillars of our democracy of our society and with the institutions of state. And while I am not accusing the substantive AG of promoting some of those

issues or stifling, rather, some of these matters, I found that the hon. Attorney General, the substantive one, took a particular tone in the Senate and I am hoping that these issues will be dealt because the Member for Laventille West really just touched and go with respect to the issue of constitutionality, with the issue—he did not even deal at all with the issue of the separation of powers, the issue of retrospective legislation, the issue to access the information in terms of what is Government's policy in terms of not only granting these licences but making sure the system is a bit more efficient. I heard no word from the hon. Member on this particular issue and I know these issues were dealt with by the substantive AG, the Member for San Fernando West.

But I am not surprised. That is the particular style of this Member to come and just speak, speak, speak but nothing really of substance and not dealing with the substantive issues that are before this committee. And one would have thought that if the Member for Laventille West is acting as the hon. Attorney General today, that these were the issues that would have been ventilated and it would have been very easy for any Member just to pick up, as the Member for St. Augustine did, with respect to reading the *Hansard* and he would have seen what the substantive AG said, what were the admissions with respect to the role and function of the former Government in getting us to where we are today, but also in terms of providing the statistics and providing the necessary information based on what hon. Senators raised, and eminent Senators, Mr. Deputy Speaker, because these are Senators who have experience in practising and putting into effect the laws of the land of Trinidad and Tobago.

Mr. Deputy Speaker, I want to turn your attention to something that Sen. Rambharat said in particular in the Senate when this legislation was passed and I quote from page 35 of the unrevised *Hansard* of the Senate when the hon.

Member, Sen. Rambharat said that the legislation:

“...was focused on making things easier for members of the public who wish to access the licensing committees.”

And the Member put into perspective, Mr. Deputy Speaker, what was the intention of the legislators in terms of passing this piece of legislation and the Member for St. Augustine put it squarely and truthfully that this was the intention to make the work of magistrates easier, to decrease the backlog, increase the amount of cases that they could have heard so that the licensing committee will then be able to take some of the burden off.

Mr. Deputy Speaker, let us turn to the issue of immunity and Sen. Vieira requested the harmonizing of the legislation and he laid out the prescription for immunity similar to the conditions contained in the Magistrates Protection (Amdt.) Bill which was dealt with in page 23 of the *Hansard*. This is what the hon. Member, Sen. Vieira, had to say and I quote:

“Hon. Attorney General, I hear you. And I usually when I read legislation, it makes sense to me. But this one, as the Jamaicans say, gave me ‘ning ning’. It befuddled me. It is not clear to me and I would really like to see something that is to the point and clear. Because, where I have problems with this clause 7, and giving what appears to be a blanket immunity, is just not on that, but it has to do with some fundamental principles; the principles dealing with retrospectivity, the principle of separation of powers. Right? The idea of ousting courts; that is how I interpret the clause 7, on retrospectivity. And I think it is important to flag this, because as you have already indicated, this is unusual legislation. Generally, amendments are not intended and they are presumed to have a retrospective operation. Retrospective laws are generally regarded as inappropriate. In fact, in some

jurisdictions, ex post facto law is prohibited.”

Mr. Deputy Speaker, you have been a part of today’s proceedings as well and very little on these concerns raised by Sen. Vieira and echoed by Sen. Varma Deyalsingh, have been ventilated by the Member for Laventille West.

Mr. Deputy Speaker, a comment made by the Member for Laventille West was that we were validating only lawful action and I would like to turn our attention to a case in the UK.

Mr. Deputy Speaker: Hon. Member. Members, at this time, I would like to suspend for tea. We will resume at 5.00 p.m.

4.29 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Deputy Speaker: As we resume after tea I will recognize the Member for Princes Town, and you have 18 minutes of your initial speaking time. Proceed.

Mr. B. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to take up where I left off, with respect to the comment made by the hon. Member for Laventille West, the hon. Member indicated that we were validating only lawful action. And I turn your attention, Mr. Deputy Speaker, to page 78 of the unrevised edition of the *Hansard*, where the hon. Attorney General had this to say:

“It is true that this Bill seeks to treat with an involvement in judicial function, decisions taken by the judges, but it is absolutely true that we cannot forget the real facts.”

Mr. Deputy Speaker, in light of those two comments made the substantive Attorney General and the Minister in the Office of the Attorney General, I would like to raise a particular case, *Reilly and Wilson v Secretary of State for Work and Pensions* [2013].

Mr. Deputy Speaker, this was a public law constitutional case in the United

Kingdom. And one of the concerns raised by the Constitution Committee relates to the use of a fast-track procedure in order to enact legislation. But, Mr. Deputy Speaker, it also engaged the cardinal rule of law principle that individuals and organizations may be punished or penalized only for contravening what was at the time a valid legal requirement. According to the doctrine of the sovereignty of Parliament, retrospective legislation is lawful. And the hon. Member for Laventille West and the substantive Attorney General in the Senate also did make this particular point, allaying some of the fears of Sen. Vieira and also Sen. Deyalsingh.

Mr. Deputy Speaker, I raise this particular point because collectively, as all Members of the House are asked to affix and put their vote in support of this particular piece of legislation, it will be, in many ways, a landmark piece of legislation, because we are being asked to right some of the wrongs of the past, even though it may have been with good intentions. Mr. Deputy Speaker, in that particular case the judgment said:

“Nonetheless, from a constitutional point of view it should wherever possible be avoided, since the law should so far as possible be clear, accessible and predictable.”

I think for any first-year law student, Mr. Deputy Speaker, these really are the foundation principles of public and constitutional law.

Mr. Deputy Speaker, it says:

“This applies to civil penalties as well as criminal offences. In the words of the late Lord Bingham of Cornhill: ‘If anyone—you or I—is to be penalised it must not be for breaking some rule dreamt up by an ingenious minister or official...It must be for a proven breach of the established law of the land.’”

And, therefore, Mr. Deputy Speaker, that ties into the issue of separation of powers, the constitutionality issue.

The substantive Attorney General—I will go into a little bit of that coming down to the very end of my contribution. I will not be much longer. But as the House is asked today to support this particular piece of legislation, the hon. Attorney General, the substantive one, did admit that it deals with judicial issues. It will deal with judicial practices and decisions taken at that level. And, therefore, with the issue of retrospective legislation, coupled with the separation of powers, it is a greater onus on us, as Members of Parliament, elected Members of Parliament, to understand truly what we are doing here today. It is not a common practice. However, we know it is not an unusual practice.

I have taken note that in New Zealand in particular, a Commonwealth country that we share our jurisprudence with—as a member of the Commonwealth ourselves—there have been several landmark cases, with respect to retrospective legislation, with respect to validation laws and validation orders, Mr. Deputy Speaker. So there is precedent in the Commonwealth. However, I think what the hon. Senators were getting at was the issue of really understanding our role and function, but also protecting and safeguarding from making this a common practice of retrospectivity and retrospective legislation.

Mr. Deputy Speaker, in that judgment it said:

“This will not be the first time that a judicial decision has been undone via primary legislation. But that does not detract from the compelling nature of the points raised by the Constitution Committee. At root, this episode calls into question the relationship between the rule of law and the sovereignty of Parliament—and in this context it is worth reminding oneself that not all judges today accept that the latter necessarily prevails over the former.”

Mr. Deputy Speaker, with respect to the issue of constitutionality, it said:

“Our constitution is dominated by the sovereignty of Parliament. But Parliamentary sovereignty is no longer, if it ever was, absolute. It is not uncontrolled in the sense referred to by Lord Birkenhead LC in *McCawley v The King* [1920]...It is no longer right to say that its freedom to legislate admits of no qualification whatever. Step by step, gradually but surely, the English principle of the absolute legislative sovereignty of Parliament which Dicey derived from Coke and Blackstone is being qualified.

Of course, it does not follow from this that the courts would respond to the new legislation by putting Parliament back in its place; such an outcome is highly unlikely. But what this episode does demonstrate is a profound lack of respect by the Executive (which is, inevitably, behind this legislation)...”

I will make that point again, Mr. Deputy Speaker. I think it is worth repeating:

“Of course, it does not follow from this that the courts would respond to the new legislation by putting Parliament back in its place; such an outcome is highly unlikely. But what this episode does demonstrate is a profound lack of respect by the Executive (which is, inevitably, behind this legislation) for the judicial branch of Government. That lack of respect is evidenced by the use of a fast-track procedure to enact legislation which, given the enormity of any decision to reverse a judicial decision,”—or to validate judicial decisions—“deserves close and searching scrutiny.

The broader point, then, is that if our constitution”—and this is the UK we are speaking of—“is (as I think it is) based upon an unwritten but crucial mutual respect between the political”—parties, the separation of powers, the—“judicial branches, there are likely to be (unpredictable) consequences if one party ceases to treat the other with adequate respect.”

So, Mr. Deputy Speaker, while it is has not developed into an issue of mutual respect, in terms of the separation of powers, what we are seeing is that there are instances in the Commonwealth, in the UK in particular, one of the oldest jurisprudences in the world, if not, the oldest jurisprudence in the world, having to deal with some of these challenges of passing laws to validate things that would have happened in the past.

“The broader point, then, is that if our constitution”—as I said, the UK Constitution, as they say—“is...based upon an unwritten but crucial mutual respect between”—parties.

And they mean the three arms of the State: the Legislature, the Judiciary and the Executive.

Mr. Deputy Speaker, there are two other points that I would like to particularly raise, that I did mention in passing when I first got up to speak. And again, looking at the British model and where we are today by bringing this particular Bill to validate licensing committees that will ease the burden/the work of the Magistracy, Mr. Deputy Speaker, one of the features of many Commonwealth countries that have similar legislation like ours, with respect to the licensing committee, is that the power to deal with appeals lies with the appointment of the subcommittee of the whole. And therefore, Mr. Deputy Speaker, I was hopeful that we would have seen, by the time the House came to deal with this particular Bill, that there would have been some discussion at least coming from Government side, in terms of how we could have empowered the same committees through a subcommittee to deal with appeals, the issue of appeals.

Mr. Deputy Speaker, as the legislation currently stands, once a licence is revoked or denied, the licence—the person, sorry, then is allowed to appeal and in

that appeal it goes to the magistrate. And, therefore, Mr. Deputy Speaker, it adds again and attempts to defeat the real purpose of this particular piece of legislation and the parent legislation that supports the Licensing Committee (Validation) Bill when in fact what we could have done is that we could empowered the magistrates to ensure that they dealt with the issue of appeal.

Mr. Deputy Speaker, on the final point that I would like to go into is the issue of something that was raised by the substantive Attorney General and that is that the hon. Attorney General indicated in the Senate that there were other options instead of bringing this particular piece of legislation in the way it has been done. I have gone to pains to not only speak about my concerns but the concerns of the Opposition, the concerns of the Independent Bench. We heard a lot today from the Member for Diego North/East about the Independent Bench, and I am hopeful that we will continue to listen to those that are neither on the left or the right but those that represent civil society's views.

And, therefore, when the Independent Members raised these particular issues, it was in a particular context and I am tying that into the point of when the hon. Attorney General stood in the Senate, he indicated at that time that there were other options. And instead of going down the road of three-fifths majority, retrospective legislation, having to deal with arguments about the separation of powers, having to deal with the arguments of why we are really here today, three years later, I would like to hear from the hon. Member for Laventille West, if the Member for San Fernando West had shared him what were the other alternatives instead of going down this particular road as a Parliament, with respect to passing retrospective legislation and with respect to undermining. Because even Dicey and several other legal luminaries speak about the undermining as a Parliament, as a democracy, about the undermining of the separation of powers but also with

respect to passing this retrospective legislation.

Mr. Deputy Speaker, I did mention that this is against the backdrop of the statistics that were provided by the hon. Member for San Fernando West. We were told that there were over 15,000 licences that were dispatched from committees. But we were also told, Mr. Deputy Speaker, which is a great admission—and if we were to look on, I believe it is page 35 of the unrevised *Hansard* you will see that the hon. Attorney General did indicate, when asked, I believe it was by Sen. Dillon-Remy, the hon. Attorney General got up and said, after the long song and dance about who brought us here, why it took them three years. The hon. Attorney General said to the Senate that several of the committees in the 14 districts were properly constituted, were operational. And that is why I believe the Member for Laventille West took the chance to say that yes, we were only validating lawful action. Because, Mr. Deputy Speaker, there is support for that, because there are committees that are properly constituted.

Mr. Deputy Speaker, we have had challenges with bureaucracy. We have had challenges both at administrative level, whether it is the civil service or whether it is the Judiciary, in terms of proper appointments. But I believe now, if we can get these committees going, Mr. Deputy Speaker, it will have a tremendous impact, in terms of regulating an industry that really has placed, in many ways, a burden. Because, Mr. Deputy Speaker, if you understand the process, even if your constituency office is holding a bazaar and you wish to sell beer, you have to get a liquor licence. Mr. Deputy Speaker, those are the laws of our land. They are the guidelines that we have in front of us, with respect to some of these issues of licences for the purchase of liquor, for the issue of pawnbrokers, for the issue of cinemas, for the issue of club operators, Mr. Deputy Speaker.

And while the intention, as I have said, and Sen. Rambharat and several of

the Government Senators, if you read the *Hansard*, Mr. Deputy Speaker, and I have quoted extensively from Sen. Rambharat as well, who I believe is the Chairman of the LRC, that he did indicate that from looking at where we were in 2014, when the last amendment was made and the contributions from 2014 to the contributions in the Senate a few weeks ago, you will see that on both sides that there is an attempt to ensure that there is some way of ensuring that the Magistracy is eased of this particular burden, but the intention was pure, the intention was true, the intention was a good one, even though it may not have been totally done the way that it should have, according to the prescription provided in the Parliament of Trinidad and Tobago and the laws of our land.

Mr. Deputy Speaker, as I have indicated prior, I am hoping that the Member for Laventille West, it is not a Bill that is really adversarial. We have a role and responsibility to the people of Trinidad and Tobago to, not only put forward our views. As I have indicated, my main bone of contention with this particular piece of legislation, I really wanted to see that we were empowering the subcommittees to deal with the appeals. But I do not believe enough has been said, with respect to the Member for Laventille West, on the issue of the separation of powers, the retrospective legislation.

I want to say that when I look at the argument that was put forward by the Member for San Fernando West, Mr. Deputy Speaker, he did deal with the issue of constitutionality and I would like to say that I do believe that the arguments that were put forward by the substantive Attorney General did make a compelling case for the issue of constitutionality. However, we have seen, as I have said, from legal luminaries and others, that there are burning issues that remain alive, with respect to the separation of powers, retrospective legislation.

And we have heard very little from the Member for Laventille West on the

issue of access to information by the public. And this was a matter that was raised by several Senators, both on the Independent and Opposition Bench, in terms of the operationalizing aspect. And I know even though we are not dealing with the operationalizing aspect of it, Mr. Deputy Speaker, we as Members of Parliament, I believe while we lend our support to this particular Bill, I think more information needs to be forthcoming. And as I said, we have been told 15,000 licences, but we have not been told how many have been rejected, how many are on appeal. We have also not been told about the public data, the registry.

You know, Mr. Deputy Speaker, if you look at the way that New Zealand has validated a lot of their laws that required the retrospective legislation and so on, in terms of the public interest, one of the things that they did to quell public concern and dissenting voices was that where a particular matter was being dealt with—and I believe that it was one of the sexual offences cases in New Zealand—what they did is that Members of Parliament, the public, the average citizen, could go on the Government's website and you can see who made an application. You can see the status of the application. You can see whether or not the application has been rejected or denied, or whether or not it is on appeal. Mr. Deputy Speaker, we have heard very little about this aspect of it.

And again, as I said, while we are dealing, and I understand we are dealing with the validating Bill, these were areas that were identified that have not been ventilated in this Chamber on behalf of the Government, and I am hoping that the hon. Member for Laventille West will be able to share some of that with us, so that we will be able to put to rest some of the concerns that persons who utilize this particular system—

Mr. Deputy Speaker: Hon. Member, I know you said you would not have been long, but your initial speaking time has now elapsed. You have an additional 15.

Mr. B. Padarath: Just two, Sir.

Mr. Deputy Speaker: Okay, so take the couple minutes and—

Mr. B. Padarath: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, that was the last point that I had to make on this particular piece of legislation and on this Bill. I thank you for the opportunity to be able to contribute, because I believe it is a significant issue. As I said, as simple as it may be, we are asking Members of Parliament for a three-fifths majority or more for this particular piece of legislation. It may very well be, Mr. Deputy Speaker, that this turns out to be the most important Bill of this administration because it deals with the fundamental pillars of separation of powers, retrospectivity and other areas of the law.

I thank you for the opportunity to contribute.

The Minister in the Ministry of the Attorney General (Hon. Fitzgerald Hinds): Thank you very much, Mr. Deputy Speaker. Having just listened to the very pious, apparently gentle, society-loving, country-loving, patriotic, law-abiding Member for Princes Town, it may surprise you to know that he was at the head of protest when we were about to inaugurate—

Mr. Padarath: Mr. Deputy Speaker, 48(6), I was a part of no protest.

Hon. F. Hinds:—the Brian Lara stadium, which we found evidence—I cast no aspersions—where the toilet facilities were being clogged.

Mr. Padarath: Mr. Deputy Speaker, I would like a ruling on 48(6), please?

Mr. Deputy Speaker: Again Member, again I do not know directly which one of the roads you are going down. Right? But I know you are in your winding-up process. Right? So, but let us keep it towards the Bill, please. Let us keep it tight. Let us keep it tight.

Hon. F. Hinds: I am obliged. I am obliged. I was merely making the point that sometimes you get the impression that, you know, we are so law-abiding, and so

on, and so on. But some of us can be otherwise.

Mr. Deputy Speaker, let me respond very quickly to my friend, the Member for St. Augustine, who spoke. And you would notice, like I did, like everyone did, he did not mention a single clause, and I am not exaggerating. The Member for St. Augustine spoke, but he did not mention or analyze a single clause. He came up here and he told us one thing really, that we got it wrong and that some of these committees were already put in place by 2014, after the passage of the law, the amendment.

And—because they left office in September of 2015. So he is saying some of these committees, and he calls in evidence some photographs in the newspaper, and so on, unconvincing man, unconvincing, unpersuasive, I found it, but he got the applause/desk thumping from some of his friends on the other side.

You know, sometimes the Cabinet, in establishing boards, would recommend certain persons to sit on boards, as we have done since we are in this Government in respect of licensing committees. I have sat in the Cabinet and the Cabinet approved certain persons to populate certain licensing committees in certain magisterial districts. But sometimes when that Cabinet decision is taken, and it is sent to the Solicitor General who is responsible for preparing these, sometimes you will find, Mr. Deputy Speaker, that the persons do not match the legal requirement, or they may no longer be interested, or they may have retired from the job; a whole lot of stuff. As a result of that, some of these persons are rejected. So my friend from St. Augustine could easily be mistaken into thinking that all was well, when in fact all was not.

In addition to that fact, we have, as I just indicated, put some of these committees in place since we came to office, among the many other things we are doing. So I just wanted to dispose of that and press on.

The Member for St. Augustine had the temerity to tell us about PNM propaganda. He does not seem to be aware of the danger of something called Cambridge Analytica, which we had to live with in this country, and which he, the Member for St. Augustine, told this country—

Mr. Charles: Standing Order 48(1).

Hon. F. Hinds: I am responding to the Member. I am responding to the Member.

Mr. Deputy Speaker: Again, Member, again, the Member did not use the term you used.

Hon. F. Hinds: He spoke of propaganda.

Mr. Deputy Speaker: Member, Member, again, you are bringing a new term into it and I would like you to tie it in as quickly as possible, please.

Hon. F. Hinds: Certainly.

Mr. Deputy Speaker: Right.

Hon. F. Hinds: When I hear propaganda, I think about Cambridge Analytica, disinformation and that is what I am talking about, but I am moving on. I am just saying when public odium was expressed about the whole business of the conduct of elections in this country and the presence of Cambridge Analytica in this country, the Member for St. Augustine leading the COP—

[Mr. Lee rises]

Hon. Member: “Oh God, sit down nah?”

Mr. Deputy Speaker: Member.

Hon. F. Hinds: I am moving on.

Mr. Deputy Speaker: Do not use that terminology again.

Mr. Indarsingh: The Parliament—

Mr. Deputy Speaker: Member for Couva South, please.

Hon. F. Hinds: He told us that he had engaged a certain firm that is well known

for disinformation and fake news and manipulating electors to get a positive electoral outcome. “But it nah work. We still lick dem and going tuh lick dem again in 2020.” [*Desk thumping*]

Mr. Charles: Emailgate.

Hon. F. Hinds: And I want to, in closing—“yuh hear?” The Member for Tabaquite is shouting—not Tabaquite, Naparima shouting about emailgate. I have one recommendation to make, that the Parliament organizes some forks and some tails and distribute them appropriately in this Parliament when we come to it; dangerous people, dangerous. I gone. Dangerous. [*Laughter*]

Mr. Deputy Speaker, the Member for Princes Town—

Mr. Deputy Speaker: One sec, Member.

Mr. Lee: 48(4), Mr. Deputy Speaker, please.

Mr. Deputy Speaker: Member, the Chief Whip has brought it as a Standing Order, so in that term, I would like you to just retract the two terminologies that you used, please.

Hon. F. Hinds: I retract it, Mr. Deputy Speaker. All I could say—I was about to say who the cap fit, let them wear it. But maybe another time I would say who the—let them wear it. [*Laughter*]

Hon. Member: Who “de tail fit”.

Hon. F. Hinds: Yeah. Mr. Deputy Speaker, the Member for Princes Town regaled us with information he would have gathered from reading *Hansard*. He spoke about parliamentary sovereignty. Well, in the UK, the Parliament is supreme. In Trinidad and Tobago, in our constitutional arrangement, the Parliament is not supreme. It is the Constitution that is supreme. He seemed to have missed that.

And Mr. Deputy Speaker, the Member for Princes Town raised the question of options. In other words, he was asking, prompted by his reading of *Hansard*, as

he admitted, and what he had seen other persons in the Senate raised on this matter, what options we had. We have a situation where a law was amended in 2014, given effect to on the 21st of July, 2014. And the constitution of the committees that should have been operating in accordance with that law was not put in place, and they continued as they existed before this law, led by a magistrate, sometimes the magistrate acting alone, and they continued merrily to this day.

We now find ourselves having to correct that by validating the acts and omissions and decisions and orders of those committees, it being impossible to otherwise correct them, to actually or factually correct it. Because it is all a matter of history. So it is a legal arrangement that we are talking about. And this validation Bill is the legal redress for that situation.

Mr. Deputy Speaker, he wanted to know about options. The other option is for persons to go to court and challenge the invalidity of those orders and decisions and determinations out of those committees.

And that would also be impossible because when you apply, for example, for a bar licence for an event and such an improperly constituted committee would have granted it and the event has now gone, there is no way you can possibly in the human affairs and state of things, correct it.

5.30 p.m.

So it is all a legal question. Very theoretical if you like. And therefore, the real and the only option available to us is a validation Act. He raised the question—[*Interruption*—no, let me address the matters he raised very quickly. He raised the question of the fact that the AG gave statistics in that other place of 14,596 licences. He then came here today to ask how many were appealed. How were the figures disaggregated?

Mr. Deputy Speaker: Again, identify the Member by his proper title, please.

Hon. F. Hinds: The Member for Princes Town.

Mr. Deputy Speaker: Member.

Hon. F. Hinds: Yes, thank you very much. The Member for Princes Town. And how many matters on judicial review and all of that, those matters are, in my view moot. Because whatever they did as the law we have before you, the measures before you today say once they were lawful in accordance with the law prior to the amendment, then we are validating it. And therefore all the question of how many went on appeal, how many were judicial review and how many licences were for pawnbrokers as opposed to bar licences and moneylenders, all of that is moot. And I can give support for that but I would not detain us, right?

So we ignore that. Just answer the Member for Princes Town. We have a problem and we are here to fix it. And that is what we are doing. On the question of appeals, he proposing that of these licensing committees in the United Kingdom, I think he said, they take a subset of the licensing committee and they are responsible for hearing appeals from the larger committee when somebody is aggrieved with a determination, or an order, or a decision. We do not have that here. What we have here is an appeal against a decision of a magistrate and in this case since it is that kind of committee, you have judicial review, always available to under our judicial review law. And an appeal is quite different from an application for judicial review. Two totally different things, okay? Right. And therefore, Mr. Deputy Speaker, he raised the matters. I mean, I can address every one of them, but it seems as though it is not necessary. I would not. [*Desk thumping*]

Since I am hearing the Member for Oropouche who is the de facto leader it appears on the other side, [*Laughter and desk thumping*] I am hearing him shouting to me, “forgot Siparia”, he is telling me.

Dr. Moonilal: Mr. Deputy Speaker, 48(1). That is completely, totally and utterly irrelevant. [*Laughter and desk thumping*]

Mr. Deputy Speaker: Members. Between Laventille West and Oropouche East, am I to rule? Should I rule? But for the records. Overruled, proceed.

Hon. F. Hinds: Thank you very much. And I saw him banging the desk when the Member for Chaguanas West voted with the Government. [*Laughter*]

Dr. Moonilal: Mr. Deputy Speaker, 48(6) now.

Dr. Gopeesingh: “Yeah, yeah, yuh gone too far, yuh have to take that back”.

Mr. Deputy Speaker: Members, Members, Members, no. I think you all are bringing the Speaker into the debate now. Let us wind up and you know I mean, let us move.

Hon. F. Hinds: Mr. Deputy Speaker. I am therefore satisfied on the direction of the Member for Oropouche East that I should wind up and not address the issues raised by Princes Town, he being the de facto leader. 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.

Mr. Chairman: Okay, as we convene the committee of the whole, are we—Chief Whip as well Minister, I am taking—

Mr. Hinds: We have agreed to take the preamble and all the clauses of this Bill together as a whole, Mr. Deputy Speaker.

Mr. Chairman: Okay, agreed? Members, Chief Whip. All right. We will do all clauses and then we will do the preamble separate.

Clauses 1 to 8 ordered to stand part of the Bill.

Preamble approved.

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

House resumed.

Bill reported, without amendment.

Question put: That the Bill be now read a third time.

Mr. Deputy Speaker: This Bill requires a three-fifths special majority.

The House voted: Ayes 32

AYES

Hinds, Hon. F.

Robinson-Regis, Hon. C.

Imbert, Hon. C.

Young, Hon. S.

Deyalsingh, Hon. T.

Mitchell, Hon. R.

Cudjoe, Hon. C. Garcia, Hon. A.

Crichlow-Cockburn, Hon. C.

Dillon, Hon. Maj. Gen. E.

Webster-Roy, Hon. A.

Gadsby-Dolly, Hon. Dr. N.

Mc Donald, Hon. M.

Francis, Hon. Dr. L.

Jennings-Smith, Mrs. G.

Olivierre, Ms. N.

Antoine, Brig. Gen. A.

Smith, D.

Cuffie, M.

Lee, D.

Charles, R.

Rambachan, Dr. S.

Karim, F.

Tewarie, Dr. B.

Moonilal, Dr. R.

Newallo-Hosein, Mrs. C.

Gopeesingh, Dr. T.

Indarsingh, R.

Ramadhar, P.

Padarath, B.

Bodoe, Dr. L.

Ramdial, Ms. R.

Question agreed to. Bill accordingly read the third time and passed.

ADJOURNMENT

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

Mr. Deputy Speaker, I beg to move that this House do now adjourn to Wednesday the 26th day of June at 1.30 p.m. at which time we will doing an Act to amend Municipal Corporations Act, Chap. 25:04, the Burial Grounds Act, Chap. 30:50, the Cremation Act, Chap. 30:51, the Advertisements Regulation Act, Chap. 30:53, the Recreation Grounds and Pastures Act, Chap. 41:01, the Highways Act, Chap. 48:01, the Dogs Act, Chap. 67:54 and the Property Taxes Act, Chap. 76:04.

Mr. Deputy Speaker: Members before I put the Adjournment to the House. Hon. Members, as we all know Labour Day and Corpus Christi will be commemorated Wednesday June 19th and Thursday June 20th, 2019, respectively. Before I put the question of adjournment to the House, I will now invite Members to express Labour Day greetings first, followed by Corpus Christi greetings. I will call on the

Member, the MP for Lopinot/Bon Air West. [*Desk thumping*]

Labour Day Greetings

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Mr. Deputy Speaker, on behalf of the Government of the Republic of Trinidad and Tobago, I rise to bring greetings to the labour movement, workers and the people of Trinidad and Tobago as we celebrate Labour Day.

Labour Day which was declared an annual national holiday in 1973 and is celebrated on June 19th has its genesis in the strikes and labour riots of 1937 when sugar and oilfield workers protested against worker abuse, under-payment, racism, economic depression and a decline in the standard of living of the working class. Some notable outcomes of those protest actions were:

- The emergence of labour leaders including Tubal Uriah Butler, Andrew Cipriani and Adrian Rienzi.
- The formation and registration of trade unions and improvements in the working conditions and standard of living of workers.

As we celebrate Labour Day we acknowledge and pay tribute to those labour leaders who fought tirelessly, some even being jailed, so that workers are now entitled to and enjoy many rights and benefits.

Today the right to associate, become members of trade unions, protest, strike, bargain collectively and seek redress at the Industrial Court are the norm and be taken for-granted more so by the younger generation who may be ignorant of past struggles. I therefore use this opportunity to remind everyone that these rights and benefits did not come easily, but are due in great measure to past and present labour leaders including George Weekes, James Manswell, Nathaniel Crichlow, Basdeo Panday, Anthony Garcia and Vincent Cabrera who fought the good fight and dedicated their lives to protecting their members' interest and

improving the working conditions of all.

Many labour leaders were visionaries who collaborated with governments and employers to ensure establishment of the National Insurance System, guaranteed pension benefits and health benefits for workers, and health and safety standards in the workplace. Some also partnered with government to construct and provide housing units for members. While government and the labour movement may not have shared the same vision at times, parties always found the common ground in order to facilitate national development and provide relief and empowerment to our most vulnerable.

This Government is cognizant of the phenomenal sacrifices made by the champions of the labour movement in order to win and uphold the rights of workers, and we have honoured their accomplishments by remaining true to our agreements and the high standards they have set for the sector. As we celebrate Labour Day on June 19th, let us be mindful of the true significance of the occasion and honour the legacy of those who have worked and continue to work tirelessly to ensure that we enjoy the dignity, rights, benefits and standard of living that exist today. I thank you. Mr. Deputy Speaker. [*Desk thumping*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Mr. Deputy Speaker. It is with the deepest sense of pleasure that I rise to extend greetings to the labour movement and workers of Trinidad and Tobago on behalf of the Opposition led by the Member for Siparia and all my colleagues on this side. Tomorrow we celebrate the 82nd Anniversary of the labour riots of Trinidad and Tobago, which signalled the birth, or gave rise to the birth of the modern day trade union movement in our country. And as a result of this, it resulted in the legal recognition of trade unions, the right to strike and to engage in the collective bargaining process.

Mr. Deputy Speaker, it is even greater for me to stand here because in 1934 the flames or the catalyst which ignited the movement towards the labour riots of 1937 started on the Esperanza Sugar Estate in 1934 in the constituency of Couva South and that fanned the flames of revolt and resistance throughout the length and breadth of this country. And over the years, the struggles of those who would have led the labour movement at the leadership level and at the rank and file have resulted in tremendous achievements from the point of view of workers in 2019 and what will continue to exist beyond 2019. Such as we would all focus on freedom of association, the right to engage in collective bargaining, the minimum wage, basic standards of what we would call basic conditions of work, working time, training, occupational safety and health, maternity benefits or what we would call maternity protection, parental protection and benefits, compensation in cases of insolvency and workers' claims.

Mr. Deputy Speaker, we owe a debt of gratitude to labour icons such as the late Adrian Cola Rienzi, also known as Krishna Deonarine, Tubal Uriah "Buzz" Butler, Bhadase Sagan Maraj, Elma Francois, Clotil Walcott, George Weekes, Joe Young, Boysie Moore-Jones, Nuevo Diaz, Nathaniel Crichlow, Vernon Glean, Francis Mungroo, Kenrick Rennie and Ainsley Matthews, Owen Hinds, and present giants who are still alive such as Basdeo Panday, Clive Nunez, Sam Maraj, Errol McLeod, Trevor Oliver and I can go on and on.

Hon. Member: Selwyn John.

Mr. R. Indarsingh: And Selwyn John, also. Mr. Deputy Speaker, I was proud to be part of a government led by the Member for Siparia who focused on people-centred development, and one which focused on improving the quality of life and standard of living of workers throughout the length and breadth of this country. And through the programmes and policies we focused on the decent work

agenda, social dialogue and tripartism and ensured the collective bargaining process in every form and fashion was upheld in the interest of the workers of this country. And that is why we were able to create 56,000 jobs and also increase the minimum wage from \$9 to \$15 per hour and in that regard also settle 135 negotiations and ensured that there were workers representatives on every possible level of tripartism and social dialogue in Trinidad and Tobago.

Mr. Deputy Speaker, as we go forward we have a fundamental responsibility on both sides to ensure that the rights of workers are upheld at all times and the dignity of the worker and his family is upheld in terms of what we do, not only in the interest of workers, but the interest of nation building and the contribution of the labour movement and the rank and file of the labour movement which started in 1937 will always have its rightful place in terms of nation building and the progress of Trinidad and Tobago. I thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, I too would like to extend my greetings on the occasion of Labour Day. As we celebrate Labour Day, we pay homage to the courageous men and women who endured years of struggle for the protection of the rights of the working-class people. It is indeed a time for reflection as we approach the 82nd Anniversary of the day of the Butler oilfield riots. Labour Day celebration in Trinidad and Tobago was declared an annual national holiday in 1973. Tubal Uriah “Buzz” Butler’s, along with the founding fathers of the labour movements, contribution to the structure of collective bargaining and improved employment conditions ushered in an era of stability and by extension peace of mind to the working-class citizens of Trinidad and Tobago. We have benefited significantly from the vibrancy, hard work and collective contributions of our labour force.

The public acknowledgement of the important role of labour in our economy has not only improved employer/employee relations over the years, but instill confidence in our working class that has contributed to the productivity, improvement in the quality of our economic products and in the services rendered in a general sense. Hon. Members, it is also important to acknowledge the trials endured by the labour movement to obtain the working conditions that we now harmoniously enjoy today. I therefore join with the Members before me and on behalf of my family and the Parliament in wishing all citizens of Trinidad and Tobago a peaceful and enjoyable Labour Day 2019. [*Desk thumping*].

Corpus Christi Greetings

The Minister of Finance (Hon. Colm Imbert): [*Interruption*] You will get it, have no fear it will come.

Mr. Deputy Speaker, it is my honour and privilege to present greetings to the Christian community, but in particular the Roman Catholic community, on the feast of Corpus Christi, also called the feast of the Body and Blood of Christ. This celebration goes back to the 13th Century, but it celebrates something far older. It celebrates the institution of the sacrament of Holy Communion at the last supper. However, while Holy Thursday is a celebration of this mystery, the solemn nature of Holy Week and the focus on Christ's passion on Good Friday overshadows that aspect of Holy Thursday, hence the reason why the celebration is held at a different time.

The celebration is held on the Thursday after Trinity Sunday, the date changes every year. Trinity Sunday is celebrated a week after Pentecost Sunday which in turn is celebrated 50 days after Easter. And since Members opposite ask for the *Bible*, the readings at Corpus Christi are from Exodus, Chapter 24; Psalm 116; Hebrews, Chapter 9; Mark, Chapter 14, in particular verses 22 to 26 which I

will read for you:

While they were eating, he took bread, said the blessing, broke it and gave it to them, and said, ‘Take it, this is my body.’ then he took a cup gave thanks and gave it to them, and they all drank of it. He said to them, ‘This is my blood of the covenant, which will be shared of many. Amen I say to you, I shall not drink again of the fruit of the vine until the day when I drink it new in the kingdom of God.’ Then after singing a hymn they went out to the Mount of Olives.

And what we are celebrating in Corpus Christi is the celebration of the Eucharist, the changing of the bread and wine into the body and blood of Christ.

6.00 p.m.

With respect to the celebration itself, in 1246, Bishop Robert of Thourotte of the Belgium Diocese of Liège, at the suggestion of St. Juliana of Mount-Cornillon, also in Belgium, convened a synod and instituted the celebration of the feast. From Liège, the celebration began to spread, and in 1264, Pope Urban IV issued a papal bull *Transiturus* which established the feast of Corpus Christi as a universal feast of the Church to be celebrated on the Thursday following Trinity Sunday.

At the request of Pope Urban IV, Saint Thomas Aquinas composed the office which is the official prayers of the Church for the feast. This office for prayers of the Church is widely considered to be one of the most beautiful in the traditional Roman Breviary, the official prayer book or divine or liturgy of the hours. It is the source of the most famous Eucharistic hymns “Pange Lingua Gloriosi and Tantum Ergo Sacramentum”.

For centuries after the celebration was extended to the universal Church, the feast was also celebrated with the Eucharist procession in which the sacred host was carried throughout the town accompanied by hymns and litanies; the faithful

would venerate the Body of Christ as the possession passed by.

In Trinidad and Tobago, Mr. Deputy Speaker, the celebration of the solemnity of Corpus Christi will begin with Holy Mass at the Grand Stand, Queen's Park Savannah at 8.30 a.m. on Thursday. I hope to see my brethren there. The procession that follows this mass will take the faithful from the Grand Stand all the way down Charlotte Street, then Park Street, Frederick Street and down to the Cathedral of the Immaculate Conception. It will conclude with solemn benediction.

I wish to announce, Mr. Deputy Speaker, that this year, the Catholic Church will be celebrating the 235th anniversary of Corpus Christi in Trinidad and Tobago and, therefore, Mr. Deputy Speaker, on behalf of the Government and on my own behalf, may I wish all Christians, in particular Catholics, a most holy and happy Corpus Christi 2019. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Cumuto/Manzanilla for Corpus Christi on the Opposition side. [*Desk thumping*]

Mrs. Christine Newallo-Hosein (Cumuto/Manzanilla): Thank you, thank you. On behalf of the Leader of the Opposition, Mrs. Kamla Persad-Bissessar, the Opposition and our great party, it gives me great pleasure to extend greetings to the Catholic community in Trinidad and Tobago who, in two days, will join millions of Catholics around the world in celebrating Corpus Christi.

You know, I would not go into the entire historical origin of the feast of Corpus Christi, seeing that the Member for Diego Martin North/East has already explained it, but just to say that Saint Juliana of Mount-Cornillon in Belgium, from her early youth, had this great veneration for the Blessed Sacrament and always longed for a special feast in its honour, hence the reason we have the feast coming to a point where Pope Urban IV, instituted the feast and made it mandatory for the

Roman Church in 1312, and we thank God, we thank God for the body and blood of our Lord Jesus Christ.

Throughout the Christian community, you will find bread in different shapes, different sizes and, perhaps, even a different colour, but you know what is the same throughout?—that this bread is unleavened, and it represents the body of Jesus Christ who came to this earth without sin and leaven represents sin. Leaven, which is yeast, leaven which is baking soda, anything that will cause the bread to raise, has to be removed entirely from the preparation of the body of Jesus Christ, because it represents a body that is without sin. And, of course, the reason why we do this is because Jesus gave a command and said: “Do this in memory of me”. But what exactly are we doing in memory of our Lord Jesus Christ? And it goes back to the word. Jesus was having a conversation with his father, father in heaven, that is, and in John 17:3, Jesus spoke these words. He says:

“And this is eternal life, that they”—meaning us—“may know you”—meaning the father—“the only true God, and Jesus Christ whom you have sent. I have glorified you on earth.”

And the whole reason of us celebrating the body and blood of Jesus Christ, celebrating his coming on earth, it is because he came to reconnect us to the father. It is by his blood and through his blood that we are redeemed out of the hand of the enemy. It is by his stripes that we are healed. He came to restore us to what it is we were originally designed to do, and that was to worship God and to be the light that he has called us to be.

And if we can think about our lives as a phone that is dead—a battery in a phone that is dead, you know, and you have a plug that represents that connectivity to get into that place of a relationship with God—because our lives are supposed to reflect a relationship with God—but if we are not plugged in to the power source,

then we lack the ability to walk as God has called us to. And so, when we partake of the body and the blood of Jesus Christ, we actually remember what he has done for us: that he came to redeem us, he came to heal us, he came to restore us, he came to restore that connection with the father through the son Jesus Christ.

1 Timothy 2:5 speaks of Jesus being the mediator between God and man. And so, it is because of this, the word of God says because as often as we eat this bread and drink this cup, we proclaim the Lord's death till he comes, and that means that Jesus is coming again, he will come again. And so, we proclaim his return triumphantly. And so, when we take the symbols of the cup, which represents the wine, his blood, and the bread which represents his body, we are actually rejoicing in the hope that Jesus will return once again to redeem us and draw us near to the father in the spirit realm.

But why the bread? Why does Jesus say "I am the bread of life"? Because he says in John 6:35, he says: I am the bread of life, whoever comes to me shall not hunger and whoever believes in me shall not thirst. And you ask the question well, you know, but I am hungry and I am thirsty, but God does not speak—Jesus was not speaking about a physical hunger and a physical thirst. He was speaking about a spiritual hunger being satisfied and a spiritual thirst being satisfied, and he is saying to us, you shall hunger and thirst after righteousness. And so, just as man depends on bread, which is a staple, for physical sustenance, so too for spiritual sustenance, we draw and we connect to the bread of life who is Jesus Christ.

Jesus continues in John 6 and he says:

"Most assuredly, I say to you, he who believes in me has everlasting life. I am the bread of life"—he repeats it.

"Your fathers ate the manna in the wilderness"—and are dead—"This is the bread that comes down from heaven...that"—one—"may eat of it and not

die.

I am the living bread that came down from heaven. If anyone eats of this bread, he will live forever. And this bread”—that I shall— “give is my flesh, which”—I shall—“give for the life of the world.”

And here Jesus is speaking of salvation, an exchange of giving his precious life for our own wretched life, because the word of God says that our righteousness is as filthy rags, and so we take on the righteousness of Jesus Christ to be able to walk and to be able to have an intimate relationship with our God. What an awesome God that we serve. And this is the hope of every believer that we are partakers of his body and his blood, and we know this because Paul asked the Corinthians a question, which really tells us and that is in 1 Corinthians 10:16:

“Is not the cup of blessing which we bless a sharing in the blood of Christ?
Is not the bread which we break a sharing in the body of Christ?”

As such, it is incumbent upon every single person who believes in the name of Jesus Christ to examine themselves, because whoever drinks this cup of the Lord in an unworthy manner will be guilty of the body and blood of the Lord and so it says:

But let a man examine himself and so let him eat of the bread and drink of the cup, for he who eats and drinks in an unworthy manner, eat and drinks judgment to himself, not discerning the Lord’s body. For this reason many are weak and sick among you and many sleep.

It is precisely for this reason that Christians throughout the world understand and celebrate in reverence the body and blood of our Lord and Saviour Jesus Christ.

And so, once again, on behalf of our political leader, our Opposition party, I wish the Catholic community a most holy Corpus Christi. Thank you. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, I too would like to extend warm greetings to our Catholic community and to all citizens of our nation on the occasion of the feast of Corpus Christi. The feast of Corpus Christi is a time taken to reflect upon the body and blood of Jesus Christ. Its observance by the Catholic faith recognizes the solemn sacrifice of flesh and blood by one man for others, a sacrifice personified in the form of Holy Eucharist and the taking of Communion. The sacrifice of Christ is not only applicable to persons following the Catholic faith but to all of us. Regardless of our religious beliefs, indeed, it is my hope that the tenets of Corpus Christi encourage us all to be the Body of Christ for each other.

As we observe the significance of the Blessed Sacrament and engage in our traditional planting, I join with Members before me, and on behalf of my family and the Parliament, in wishing all citizens of Trinidad and Tobago a holy and blessed feast of Corpus Christi 2019. [*Desk thumping*] Leader of the House.

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I just want to make an amendment to what I said we will be doing on the 26th to add that we will also be doing the Report of the Committee of Privileges of the House of Representatives on the Allegation of Threatening Words.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.12 p.m.