

**SENATE***Tuesday, July 05, 2016*

The Senate met at 1.30 p.m.

**PRAYERS**[MR. VICE-PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

**Mr. Vice-President:** Hon. Senators, I wish to inform you that the President of the Senate, Sen. the Hon. Christine Kangaloo, is currently out of the country. Hon. Senators, I have granted leave of absence to Sen. the Hon. Franklin Khan and Sen. the Hon. Paula Gopee-Scoon who are both ill, and to Sen. the Hon. Dennis Moses, and Senators Allyson Baksh and Daniel Solomon who are all out of the country.

**SENATORS' APPOINTMENT**

**Mr. Vice-President:** Hon. Members, at this time I am currently awaiting correspondence from the Office of the President in regard to Senators' appointments, so as such we will move on to item 2, Tributes.

**TRIBUTE****(PATRICK AUGUSTUS MERVYN MANNING)**

**Mr. Vice-President:** Hon. Senators, as you are aware, former Prime Minister, Patrick Manning, passed away on July 02, 2016. I now invite you to offer tributes. Sen. Cummings. [*Desk thumping*]

**Sen. Foster Cummings:** Mr. Vice-President, on behalf of the People's National Movement, on behalf of the Government of Trinidad and Tobago, and on my own behalf, I rise to pay tribute to a distinguished son of Trinidad and Tobago, Patrick Augustus Mervyn Manning, former Prime Minister, former Political Leader of the People's National Movement, former Opposition Leader; a true statesman, Mr. Vice-President. He served as political leader of the PNM for 23 years, as Leader of the Opposition on two occasions, 1986 to 1991, and, again, 1995 to 2001. He

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Mervyn Manning (cont'd)  
Sen. F. Cummings (cont'd)

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was sworn in as Prime Minister on three occasions, in 1991, in 2001, and in 2002, and served until 2010.

As Prime Minister he shared his vision for the development of Trinidad and Tobago and was a champion for regional integration. He introduced GATE to assist citizens of Trinidad and Tobago to acquire tertiary education. He gave us the University of Trinidad and Tobago, as it was his dream to see more citizens have access to tertiary education. He will always be remembered for his role in monetizing our natural gas and putting Trinidad and Tobago on the world map as an LNG exporter. The revitalization of the capital City of Port of Spain is also to his credit. The International Waterfront Centre, the Ministry of Education Tower, the Government Campus Plaza, the Brian Lara Promenade, the National Academy for the Performing Arts, the Southern Academy for the Performing Arts, are some of the legacy projects of his time.

He implemented an effective social safety net for our citizens, and we will recall programmes such as CDAP and CEPEP during his tenure as Prime Minister. For the young people, the On-the-Job Training Programme, the Geriatric Adolescent Programme, the MuST Programme and HYPE, and the National Energy Skills Centre are some of the programmes that were implemented under his tenure as Prime Minister. As a politician, he was responsible for the rebuilding of the PNM after the 33-3 defeat in 1986, and again led the PNM to Government in 2001. He was a true comeback kid.

Mr. Vice-President, Mr. Patrick Augustus Mervyn Manning, former Prime Minister and Member of Parliament for San Fernando East, passed away on July 02, 2015. Many of us had the opportunity to work with him at some point in his 44 years of service to this country. I extend sincere condolences to the Manning

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family on the passing of Mr. Patrick Manning.

Mr. Manning was indeed a distinguished son of Trinidad and Tobago and entered parliamentary life in 1971 at the youthful age of 24. He served as Parliamentary Secretary in a number of Ministries, spanning Works and Transport, Industry and Commerce, and Petroleum and Mines. In 1981, he would serve as Minister with responsibility for industry and commerce, and then energy and natural resources. To date, he remains not only one of the longest serving Members of Parliament but also provided astute representation to the constituency of San Fernando East.

Mr. Manning would not only be remembered locally but he left an imprint on the regional shores of our Caricom brothers and sisters. In December 2003, Mr. Manning was awarded the democracy prize by the Guyana Institute for Democracy for his works in upholding the principles of democracy in the Caribbean region. In December 2004, he was awarded the Caribbean-Central American Action's "Star of the Caribbean Award" for his unwavering support to Caribbean neighbours in their times of distress. In 2007, Mr. Manning received an honorary Doctor of Letters from Medgar Evers University of the United States of America, which he dedicated to the people of the Republic of Trinidad and Tobago.

In 2015, Mr. Manning ended his parliamentary career of 44 years of service, which is heavily decorated with accolades. Be that as it may, I can recall from my service in another incarnation the mark of strong leadership, respectability, intelligence and foresight. American entrepreneur and motivational speaker, Jim Rohn says, and I quote:

"The challenge of leadership is to be strong, but not rude;"—to—"be kind, but not weak; be bold, but not"—a—"bully;...be humble, but not timid; be

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proud, but not arrogant; have humour, but without folly.”

This truly describes Mr. Manning’s leadership style as he was indeed strong but not rude, kind but not weak, bold but not a bully, humble but not timid, proud but not arrogant, and humorous but without folly. Mr. Manning is mourned and celebrated by the people of the Republic of Trinidad and Tobago, his wife, Mrs. Hazel Manning, and their sons, Brian and David Manning. Once again, I extend, on behalf of the Government Bench, condolences to the family. I thank you, Mr. Vice-President. [*Desk thumping*]

**Mr. Vice-President:** Sen. Mark.

**Sen. Wade Mark:** Thank you, Mr. Vice-President. Mr. Vice-President, I rise to add to the words of sympathy and to convey the condolences on behalf of the Opposition Bench on this solemn and undeniably traumatic occasion, the passing of the former Prime Minister and Political Leader of the People’s National Movement. Like many of my fellow citizens throughout the country, and the region, I grieve the loss of the former Prime Minister. My thoughts are with his wife, his family, and with all those citizens who revered, appreciated, and sincerely embraced his political ideology and philosophy.

Mr. Vice-President, we are here to pay tribute to a fallen leader, to pay tribute to a man, to a mortal, to a human being, to a man who was once described—or who can be described, I should say, as having those elements within him that was so mixed as to produce a personality that was at times a joy to be associated with and to work with in the august Chamber of these hollow precincts, and was equally a delightful person to know. He was wise, warm hearted and humorous. He held strong views and beliefs, and did not give up on his dreams. He was the driving force for change. We all have learnt so much from his

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fortitude, courage, dedication and compassion. Throughout his life he overcame many challenges to become this country's fourth Prime Minister. He demonstrated an indefatigable spirit throughout his life, but alas he was only human, flesh and blood like all of us. And if I should paraphrase Edward Gibbon in his classic work, the *Fall of the Roman Empire*, he also had feet of clay despite his shining armour as a human being.

**1.45 p.m.**

Be that as it may, Mr. Vice-President, we are here to eulogize a great leader of his party and of the country; to eulogize the longest serving parliamentarian and the second longest serving Prime Minister of our Republic. He was a father, a humanist, a family man, indeed a man of many parts, but most importantly a citizen who had served his country well, served the region with distinction and his performance on the international stage can be classified as a stellar performance. And one of the most moving examples in this regard was the opening up of East Africa to Trinidad and Tobago and the Caribbean through the establishment of a diplomatic mission in Uganda which we hope will remain open as a perpetual symbol of his vision for Africa and for Trinidad and Tobago.

Mr. Vice-President, the former Prime Minister can be, ought to be, and should be, ranked among the visionary leaders of our contemporary world. He had a keen insight of the human mind. He was perceptive, he understood the needs of all segments of our society and sought in the way he thought best and appropriate to ensure that all benefited from the largesse of the State.

In the zone of religion he was an unrepentant Christian. He was a devout Anglican, but that did not blind him to what virtues there are in other religions or those who share other religious persuasions. He strove relentlessly to ensure that

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our society enjoyed the peace, harmony and security that ought to be concomitant with religious pluralism and tolerance. Indeed he was the epitome of the National Watchwords of “Discipline, Production, Tolerance”.

Mr. Vice-President, the former Prime Minister was one of the defining figures in modern Trinidad and Tobago politics. Whatever side of the political debate you stood on, no one can deny that as a Prime Minister he left a unique and lasting imprint on the country he served. He may have divided opinion during his time in politics, but everyone will be united today in acknowledging the strength of his personality and the depth of his vision for his fatherland.

Mr. Vice-President, while we may have shared commonality, that is the Opposition, Government and party on the spiritual and ethical plain, we parted company on the actualization, on the ideological and philosophical paradigm and the methodology for the sharing of the resources of our great country so that all of us could be accommodated in comfort at the banquet table of life as we shared the resources of our country. We differed on the strategies that ought to have been pursued to ensure, Mr. Vice-President, that the common man, the ordinary worker, the working class got their fair share of the national patrimony.

We fought relentlessly to ensure that every one of our citizens can take their seat at the economic and social banquet table of life in our country. Mr. Vice-President, indeed it has been an honour and privilege to have known this legendary personality, this political giant among men. As the Igbo brothers of Nigeria would have said, the Ekimba of Cocoyea and of Trinidad and Tobago. Ekimba means strongman.

May the light of perpetual peace and joy forever shine on his spirit and give eternal rest to his soul. Farewell to Patrick Augustus Mervyn Manning. [*Desk thumping*]

**Sen. David Small:** Thank you very much, Mr. Vice-President, for giving me the opportunity to join today in giving tribute to a man whose contribution to this country is immeasurable. And I say that because I have had over my previous many years, in my previous incarnation, been privileged to have worked in his space, to have been able to benefit from his wisdom, to have seen him operate and I believe that this is somebody who, the magnitude of his contribution to the nation, we are only now beginning to bring, to add the sums up.

Mr. Vice-President, Patrick Augustus Mervyn Manning was a giant of a man and he cast a positive light that has radiated across the length and breadth of this country. Yet, if you were ever blessed to be in his presence, he always exuded an aura of confidence and calm. On this day when we remember his life and we give tribute to this life, the Independent Bench joins with the rest of the nation in expressing a deep sense of loss at his untimely passing.

Mr. Vice-President, we give tributes today to a man whose purpose in public life was the betterment of the life of all of citizens of Trinidad and Tobago. As we sit here today in the realization of one of his key initiatives, which was modern business facilities for a modern capital city, we are now only beginning to total the sum of his monumental contribution to this country over his 44 years of public service.

Mr. Vice-President, there are several things that set former Prime Minister apart from mere mortal men: his ability to demonstrate leadership and leadership is a word that is often used, but anybody who strives to be a leader has to learn to follow. If you really want to lead, you have to be able to follow. And this is where he began, he followed and then he learnt how to lead. His work ethic, I think anyone working, certainly when he had the office in Whitehall and I in my former life having had to be there many nights, going late into the night, doing all sorts of

things to put things in place, he had a tremendous work—he never seemed to be out of energy.

Prime Minister Manning had a dedication to improving Trinidad and Tobago through his long and meritorious career as a Member of Parliament, all of the constituencies, his constituency members will tell you that. His mantra was about service and making sure that the people who he represented got the best of him. And there is something about Patrick Augustus Mervyn Manning, I think we often understate and that is his innate ability to genuinely touch the hearts of those he encountered.

Mr. Vice-President, I was overseas over the weekend and I had chance, when the news broke, to be in a space where there were members of the diaspora of that particular city and I was in the space. And I could tell you, there was not a dry eye in the room when the news broke, including myself.

I think the extent to which he has been able to touch the hearts and lives of people is now coming to fore. One of the things that set him apart was his relentless vision, his relentless pursuit of the vision of taking our country to developed nation status. His statesmanship, his belief in Caribbean unity.

Mr. Vice-President, when I say Caribbean unity, here is what Caribbean unity meant to him. In 2002, when the Caribbean nations were under tremendous financial pressure because of the oil price rise at that point in time, I was in the room and the hon. Prime Minister said, we have to help our Caribbean brothers and sisters. And he created something called the Caribbean oil facility, Caricom oil facility and here is what he said. I was in the room. He said, if we are going to give some money to them to help them through this period, put no conditions on it. If you are giving something, you give it to them. There were all sorts of

protestations, but his view was that if you are giving something, you are giving it without condition and let them decide what they want to do with it. That was the mettle of the man.

Another of his key qualities was his uncanny ability to transfer his vision onto others. And again, Mr. Vice-President, if you will allow me to share. In 2005, I was in a city called Bilbao in Spain and the then Prime Minister was supposed to do a keynote address to a major international gas conference. And when he strode to the podium, on the podium were several ministers of state from the State of Spain, along with King Juan Carlos of Spain. And he began his presentation by saying, talking about there was a guy called Christopher Columbus who sailed in three ships, leaving, going to a place to look for the west to find a new land, and everybody thought he was mad. And during his presentation, he linked that to the country's pursuit of developed nation status and because it was a gas conference, he linked that to the fact that we are using natural gas to drive and support our move to achieving developed nation status.

Mr. Vice-President, I was in the room. King Juan Carlos stood and led a thunderous standing ovation for a 37-minute discourse on the subject matter. And as a red-blooded Trinidadian citizen, it was difficult for me to contain my heart within my chest. This was the man's ability to transfer what he was seeing to others and that is a special, special, special quality.

Mr. Vice-President, everyone knows that Patrick Manning has left an indelible mark upon the economic and social development of our country. His legacy of decisions and action in the interest of the development of our country will live on well into the next generation, but it is his human side that is probably the most underappreciated. He touched and influenced many lives positively. I,

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Sen. Small (cont'd)

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myself at one time there was a meeting, an organization called the standing committee on energy which is something that he started and I was a young professional sitting in on those meetings. I asked him one day, I said, Prime Minister with the greatest of respect could you help me to understand what does it take to perform in this role? He said, "Mr. Small, if you want to leave your mark, never waiver from your principles". And these are things that stay with me. As a young professional, it stayed with me. I still have it within me now.

Many of us or those of us who would have interacted with him, would know that he had a great love for extempo music. Yeah? But here is what, Patrick Augustus Mervyn Manning was at all times dignified, always dignified. He was never a complainer, never complained. To his last days, he never complained and his was a life of service.

Mr. Vice-President, the *Bible* at Roman 8:38-39 says:

"For I am sure that neither death nor life, nor angels nor rulers, nor things present nor things to come, nor powers, nor height nor depth, nor anything else in all creation, will be able to separate us from the love of God in Christ Jesus our Lord."

To his family I say, take strength in these words. On behalf of the Independent Bench and in solidarity with many citizens of Trinidad and Tobago here at home and abroad, I express our deepest sympathies to the family of Mr. Manning and we all pray for our colleague's immortal soul shall rest in eternal peace. Thank you very much, Mr. Vice-President. [*Desk thumping*]

**2.00 p.m.**

**Mr. Vice-President:** Hon. Senators, before I join you in bringing tributes to the former Prime Minister, I would like to read out a tribute from the hon. Sen.

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Mr. Vice-President (cont'd)

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Christine Kangaloo, President of the Senate:

“Patrick Manning was a good Prime Minister. But behind it all, Patrick Manning was a good man.

His goodness touched me directly in 2001, when Mr. Manning believed in and took a chance on me and invited me to sit in this very Chamber as an Opposition Senator. His goodness touched me every day during my tenure as a member of his Cabinet from 2002 to 2010. From that vantage point, I saw and experienced Mr. Manning’s goodness, not just in the decisions he made as a leader, but in the manner in which he dealt with those whom he led.

His goodness shone through in the patience and the forgiveness he showed when I made my first mistakes; in the caring and support he extended when I had my own personal challenges; and in the confidence and self-belief he engendered in me, when, as a young politician, I at times doubted whether I had within me the strength to finish the course of public service I had chosen.

His goodness shone through in his personal traits, as well. Who can forget his dimpled smile? He was as polite as he was principled; as charming as he was courageous; as debonair as he was demanding. He had a special place in his heart for young people. He made time to counsel them and they responded to him in equal measure.

Above all, he was a man of love. Of love for his wife and for his family; of love for music and for dancing; of love for a good lime; of love for people; and most of all, of love for his country. Patrick Manning was a good Prime Minister. But behind it all, Patrick Manning was a good man.

Although far away at this time, I join you today in spirit and in extending a nation’s thanks for the decades of good service by this good man. May his soul

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Tribute (Patrick Augustus  
Mervyn Manning (cont'd)  
Mr. Vice-President (cont'd)

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rest in peace.”

Hon. Senators, I now join with you in offering my deepest condolences to the family of the hon. Patrick Manning former Prime Minister of Trinidad and Tobago.

I have noted since his passing on Saturday, July 02, 2016, the many tributes that have poured in from Members of Parliament both local and regional, to members of the public, in honour of the man. They are in no short way indicative of the greatness of a person who by virtue of his calling and his example impacted the lives of not only those who had the privilege to interact with him, but also those who did not. Try as I might, it is difficult to put the words together that would be truly representative of the magnitude of service given. And so what I am left with is an attempt to contextualize the selfless act of a man whose love of country far outweighed his love of self.

At the age of 24, Mr. Manning would have such superior knowledge of self, absent from so many at that age, to offer himself for service to country, a sentiment that would be repeated by so many young parliamentarians over the years, yet he still holds the title as one of the youngest. Fast-forward to the age of 45 and the now experienced parliamentarian emerges as one of the youngest Prime Ministers of Trinidad and Tobago, with 21 years of service behind him and 23 years of service still to come in various capacities. By the time Mr. Manning would have emptied his cup and given all that he had to give, 44 years would have passed, nine years less than the age of the nation that he so diligently served. I can say assuredly here today that what he did not give in years is what he did not have in life to give.

Today, as we remember the man as a servant of the people, let us not forget

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Tribute (Patrick Augustus  
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Mr. Vice-President (cont'd)

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that he was also the father of two, and the husband of one. To them I say on behalf of a nation, thank you for understanding, thank you for sharing. To the man himself, thank you seems to be woefully inadequate as a form of gratitude for a lifetime of service freely given. Nonetheless I say, thank you. To a nation in mourning, I say to you, if we endeavour to give but a fraction of the service Mr. Manning has given, then we as a country will inevitably realize the potential that he always knew existed in us.

Hon. Members, it is because of the above that I can summarize the life of Mr. Manning by saying, great is the man who knowingly plants for others seeds that grow into trees, the fruits of which he will never taste, and the shade in which he will never sit.

May he rest in peace. [*Desk thumping*]

Hon. Senators, may we now observe a minute of silence.

*The Senate stood.*

**Mr. Vice-President:** Hon. Senators, I hereby instruct the Clerk to convey to his beloved family your deep condolences and our kind sentiments.

#### **ARRANGEMENT OF BUSINESS**

**Mr. Vice-President:** Hon. Senators, as indicated earlier, I am now in receipt of correspondence from the Office of the President of the Republic of Trinidad and Tobago. As such, please permit me to revert to Item No. 3 on the Order Paper.

#### **SENATORS' APPOINTMENT**

**Mr. Vice-President:** Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona, S.C., O.R.T.T.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS CARMONA, O.R.T.T., S.C.,  
President and Commander-in-Chief of the  
Armed Forces of the Republic of Trinidad  
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.  
President.

TO: MR. NDALE YOUNG

WHEREAS Senator Christine Kangaloo is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(b) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, NDALE YOUNG, to be temporarily a member of the Senate, with effect from 5<sup>th</sup> July, 2016 and continuing during the absence from Trinidad and Tobago of the said Senator Kangaloo.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad  
and Tobago at the Office of the  
President, St. Ann's, this 29<sup>th</sup> day of  
June, 2016.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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By His Excellency ANTHONY THOMAS  
AQUINAS CARMONA, O.R.T.T., S.C.,  
President and Commander-in-Chief of the  
Armed Forces of the Republic of Trinidad  
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.  
President.

TO: MR. WAYNE INNISS

WHEREAS Senator Franklin Khan is incapable of performing his  
duties as a Senator by reason of his illness:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS  
CARMONA, President as aforesaid, in exercise of the power vested in me  
by section 44(1)(b) and section 44(4)(a) of the Constitution of the  
Republic of Trinidad and Tobago, do hereby appoint you, WAYNE  
INNISS, to be temporarily a member of the Senate with effect from 5<sup>th</sup> July,  
2016 and continuing during the absence of Senator Franklin Khan by reason  
of illness.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad  
and Tobago at the Office of the  
President, St. Ann's, this 5<sup>th</sup> day of  
July, 2016.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND  
TOBAGO

By His Excellency ANTHONY THOMAS  
AQUINAS CARMONA, O.R.T.T., S.C.,

President and Commander-in-Chief of the  
Armed Forces of the Republic of Trinidad  
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.  
President.

TO: MS. AYANNA LEWIS

WHEREAS Senator Paula Gopee-Scoon is incapable of performing  
her duties as a Senator by reason of her illness:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS  
CARMONA, President as aforesaid, in exercise of the power vested in me  
by section 44(1)(b) and section 44(4)(a) of the Constitution of the  
Republic of Trinidad and Tobago, do hereby appoint you, AYANNA  
LEWIS, to be temporarily a member of the Senate with effect from 5<sup>th</sup> July,  
2016 and continuing during the absence of Senator Paula Gopee-Scoon by  
reason of illness.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad  
and Tobago at the Office of the  
President, St. Ann's, this 4<sup>th</sup> day of  
July, 2016."

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND  
TOBAGO

By His Excellency ANTHONY THOMAS  
AQUINAS CARMONA, O.R.T.T., S.C.,  
President and Commander-in-Chief of the

Armed Forces of the Republic of Trinidad  
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.  
President.

TO: MS. ALISHA ROMANO

WHEREAS Senator Dennis Moses is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, Alisha Romano, to be temporarily a member of the Senate with effect from 5<sup>th</sup> July, 2016 and continuing during the absence from Trinidad and Tobago of the said Senator Moses.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad  
and Tobago at the Office of the  
President, St. Ann's, this 30<sup>th</sup> day of  
June, 2016."

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND  
TOBAGO

By His Excellency ANTHONY THOMAS  
AQUINAS CARMONA, O.R.T.T., S.C.,  
President and Commander-in-Chief of the

Armed Forces of the Republic of Trinidad  
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.  
President.

TO: MR. TERRENCE BEEPATH

WHEREAS Senator ALLYSON BAKSH is incapable of performing  
her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS  
CARMONA, President as aforesaid, in exercise of the power vested in me  
by section 44(1)(a) and section 44(4)(a) of the Constitution of the  
Republic of Trinidad and Tobago, acting in accordance with the advice of  
the Acting Prime Minister, do hereby appoint you, TERRENCE BEEPATH  
to be temporarily a member of the Senate, with effect from 5<sup>th</sup> July, 2016  
and continuing during the absence from Trinidad and Tobago of the said  
Senator Allyson Baksh.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad  
and Tobago at the Office of the  
President, St. Ann's, this 5<sup>th</sup> day of  
July, 2016.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND  
TOBAGO

By His Excellency ANTHONY THOMAS  
AQUINAS CARMONA, O.R.T.T., S.C.,  
President and Commander-in-Chief of the

Armed Forces of the Republic of Trinidad  
and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.  
President.

TO: MR. GERALD RAMDEEN

WHEREAS Senator DANIEL SOLOMN is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, acting in accordance with the advice of the Leader of the Opposition, do hereby appoint you, GERALD RAMDEEN to be temporarily a member of the Senate, with effect from 4<sup>th</sup> July, 2016 and continuing during the absence from Trinidad and Tobago of the said Senator Daniel Solomon.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad  
and Tobago at the Office of the  
President, St. Ann's, this 4<sup>th</sup> day of  
July, 2016."

#### **AFFIRMATION OF ALLEGIANCE**

*Senator Ndale Young took and subscribed the Affirmation of Allegiance as required by law.*

#### **OATH OF ALLEGIANCE**

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*The following Senators took and subscribed the Oath of Allegiance as required by law:*

Wayne Inniss, Ayanna Lewis, Alisha Romano, Terrence Beepath and Gerald Ramdeen.

**2.15 p.m.**

### **FINANCE (NO. 2) BILL, 2016**

Bill to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters, brought from the House of Representatives [*The Minister of Finance*]; read the first time.

*Motion made:* That the next stage be taken at a sitting of the Senate to be held on Thursday, July 07, 2016. [*Hon. C. Imbert*]

*Question put and agreed to.*

### **PAPERS LAID**

1. Annual Audited Financial Statements of Point Lisas Industrial Port Development Corporation Limited for the year ended December 31, 2015. [*The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus)*]
2. Annual Audited Financial Statements of the Trinidad and Tobago Mortgage Finance Company Limited for the year ended December 31, 2015. [*Sen. The Hon. J. Baptiste-Primus*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on a Special Audit of the Public Transport Service Corporation. [*Sen. The Hon. J. Baptiste-Primus*]
4. Ministerial Response to the Twenty-First Report of the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions (10<sup>th</sup> Parliament) on a Review of the

5. Administration and Operations of the Siparia Regional Corporation. [*Sen. The Hon. J. Baptiste-Primus*]  
Ministerial Response to the Twentieth Report of the Joint Select Committee appointed to inquire into and report to Parliament on the Municipal Corporations and Service Commissions (10<sup>th</sup> Parliament) on a Review of the administration and operations of the Couva/Tabaquite/Talparo Regional Corporation. [*Sen. The Hon. J. Baptiste-Primus*]
6. Ministerial Response to the Nineteenth Report of the Joint Select Committee appointed to inquire and report to Parliament on Municipal Corporations and Service Commissions (10<sup>th</sup> Parliament) on a Review of the Administration and Operations of the Mayaro/Rio Claro Regional Corporation. [*Sen. The Hon. J. Baptiste-Primus*]
7. Ministerial Response to the Twenty-Third Report of the Joint Select Committee of Parliament on Ministries (Group 2) (10<sup>th</sup> Parliament), appointed to inquire into and report to Parliament on the Administration and Operations of Telecommunications Services of Trinidad and Tobago Limited. [*Sen. The Hon. J. Baptiste-Primus*]
8. Ministerial Response to the Report of the Joint Select Committee on Human Rights, Diversity, the Environment and Sustainable Development (10<sup>th</sup> Parliament) on the Examination of Programmes and Services which provide Support to Victims of Domestic Violence. [*Sen. The Hon. J. Baptiste-Primus*]
9. Planning and Facilitation of Development (Application Fees) Regulations, 2015. [*Sen. The Hon. J. Baptiste-Primus*]

### **URGENT QUESTIONS**

#### **High-Powered Assault Weapons (Measures Taken)**

**UNREVISED**

**Sen. Wade Mark:** Thank you very much, Mr. Vice-President. In light of the recent attack in Enterprise Chaguanas in which it is claimed that an AR-15 sub-machine gun was used, can the Minister of National Security state what measures are being taken to rid the nation's streets of high-powered assault weapons?

**The Minister of National Security (Hon. Maj Gen. Edmund Dillon):** Thank you very much, Mr. Vice-President. Information received from the Trinidad and Tobago Police Service indicates that while there appeared to be the use of a high-powered weapon in the incident described, there is no confirmation that it was in fact an AR-15 weapon. Investigation into this matter continues. I will probably ask the hon. Senator if he has information that it is an AR-15, it will certainly help the police in their investigation, and as we say, if you see it report it. So if you do have information, you can kindly share that with us, please.

Mr. Vice-President, illegal weapons have been coming through this country for some time, and to a large extent it was as a result of our porous borders that were left opened for five years. And so we, this administration, will now put in place several measures to treat with weapons within the country and, of course, weapons coming into the country. So there is a sort of strategic intervention in terms of land, air and sea. Measures being adopted currently include joint inter-agency intelligence-led operations utilizing the agencies in the Ministry of National Security, namely the Trinidad and Tobago Police Service, the Trinidad and Tobago Defence Force, Trinidad and Tobago Customs and Excise, in particular the preventative branch, the Strategic Services Agency and other agencies of National Security.

These operations involve joint army/police patrols throughout our hot spots areas, throughout our coastal areas and throughout our maritime areas. And, Mr. Vice-President, I want to take this opportunity to in fact congratulate the Trinidad and

Tobago Coast Guard. Within times, in fact, on June 27<sup>th</sup>, they intercepted a pirogue bringing into the country \$241,600 worth of marijuana, into this country; and within times, in fact, on July 02, 2016, last Saturday, the coast guard intercepted what is considered one of largest cocaine busts in Trinidad and Tobago, \$39.4 million.

**Mr. Vice-President:** Hon. Minister, your time is up.

**Hon. Maj. Gen. E. Dillon:** Thank you, Mr. Vice-President.

**Sen. Mark:** Could the Minister of National Security indicate, Mr. Vice-President, whether the measures outlined are having the effect that he anticipates in bringing some control as it relates to the amount of high-powered weapons on the streets of this country?

**Hon. Maj. Gen. E. Dillon:** Mr. Vice-President, I think the results are showing that there are in fact—the measures are in fact bearing results. And just to illustrate, in 2015 the amount of weapons seized off the streets of Trinidad and Tobago, totalled 335. To date in 2016, the amount of weapons seized, 402, an increase from last year's number. With respect to ammunition, in 2015, 4,586 rounds of ammunition were seized off the streets. The same time in 2016, there is an increase of 5,554 rounds of ammunition.

So, Mr. Vice-President, the statistics show that there has been an increase in terms of the results by the measures being adopted by using our interagency approach, utilizing the defence force, the police, the Strategic Services Agency, and we have seen again an increase in the coast guard presence in the maritime area which we believe is our most vulnerable area. So, utilizing an approach of land and sea operations, the measures being adopted are producing the kind of results. Of course, there is always room for improvement, Mr. Vice-President. I thank you.

**2.30 p.m.**

**CLICO Statutory Fund  
(Details of)**

**Sen. Wade Mark:** In light of reports from the CLICO Stakeholders Alliance that \$6 billion seems to be missing from the CLICO Statutory Fund, can the hon. Minister inform the Senate as to whether these claims are valid?

**The Minister of Finance and Acting Prime Minister (Hon. Colm Imbert):** Thank you, Mr. Vice-President. In 2009, the total assets of Colonial Life were in the amount of \$15.07 billion and the total liabilities were in the amount of \$24.58 billion, which resulted in a deficit of assets to liabilities of \$9.51 billion.

In 2014, which is the last period for which there were audited accounts for Colonial Life, the assets had increased from \$15.07 billion to \$29.32 billion and the liabilities had increased to \$30.25 billion, resulting in an overall deficit of just under \$1 billion or \$933 million to be precise. So it means that CLICO's position had improved by almost \$9 billion. In other words, its value had improved by almost \$9 billion in the period, is in fact an increase in assets taken alone of \$14.25 billion between 2009 and 2014.

And I am told that the unaudited financials for 2015 will demonstrate a similar picture, with some changes, but not substantial to the 2014 picture, in terms of assets versus liabilities. And, therefore, the claim that \$6 billion seems to be missing is not valid.

**ORAL ANSWERS TO QUESTIONS**

**The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus):** Mr. Vice-President, the Government is prepared to answer all of the questions, 100 per cent and those are questions 69, 70 and 71, and we request a one week extension for questions 86 and 87, written questions.

**Three-Dimensional Seismic Surveys  
(Details of)**

**UNREVISED**

**69. Sen. Wade Mark** asked the hon. Minister of Energy and Energy Industries:  
Could the Minister inform the Senate of the total area that was covered by three-dimensional seismic surveys for each year from 2011 to 2015?

**The Minister of Energy and Energy Industries (Hon. Nicole Olivierre):** Thank you, Mr. Vice-President. The total area that was covered by three-dimensional seismic surveys over the period was 33,195 square kilometres.

Surveys have been classified according to the year in which they were completed. The annual coverage over the period as follows: 2011, 2,020 square kilometres; 2012, 8,766 square kilometres; 2013, 635 square kilometres; 2014, 18,246 square kilometres; and 2015, 3,528 square kilometres. Thank you.

**Sen. Mark:** Mr. Vice-President, could the hon. Minister indicate, in the case of Petrotrin, what use, if any, they have made of their data that they have been able to access through the seismic surveys, Petrotrin in particular?

**Mr. Vice-President:** Sen. Mark, I do not think that qualifies as a supplemental question and as such I would not allow it. Do you have any other supplemental questions?

**Sen. Mark:** No.

**Mr. Vice-President:** Okay, then on to the next question, yes.

### **Exploration Wells (Number to be Drilled)**

**70. Sen. Wade Mark** asked the hon. Minister of Energy and Energy Industries:  
Could the Minister inform the Senate of the minimum and maximum number of exploration wells that are likely to be drilled in Trinidad and Tobago for each year from 2016 to 2020?

**The Minister of Energy and Energy Industries (Hon. Nicole Olivierre):** Thank you Mr. Vice-President. For the period 2016 to 2020, 68 exploration wells were projected to be drilled in Trinidad and Tobago. For the majority of these wells the

timelines have been established and the proposed drilling schedule is as follows: 2016, 17; 2017, 21; 2018, 11; 2019, 11; and 2020, 4. Thank you.

**Downgrades by Investor Services  
(Effect on National Economy)**

**71. Sen. Wade Mark** asked the hon. Minister of Finance:

Could the Minister inform the Senate of what is the immediate effect on the national economy with respect to the recent downgrades issued by both Standard & Poor's and Moody's Investors Services?

**The Minister of Finance and Acting Prime Minister (Hon. Colm Imbert):**

Thank you, Mr. Vice-President. There was no immediate effect on the national economy as a result of the recent downgrades issued by Standard & Poor's and Moody's Investors Services.

It should be noted that notwithstanding the downgrades, which were due primarily to severe declines in the price of oil and natural gas, both rating agencies have confirmed that Trinidad and Tobago still has an investment grade rating.

Coincidentally, since April 2016, when the ratings were issued, the price of oil has recovered from a low of US \$36 per barrel in April 2016, to over US \$46 per barrel as of today, July 05, 2016, reaching as high as US \$50 per barrel at the beginning of June 2016. The price of natural gas, Henry Hub, has also recovered from \$2 per MMBtu to almost \$3 per MMBtu within the last few days.

**JOINT SELECT COMMITTEE REPORT**

**Government Assurances  
(Adoption)**

**Sen. Foster Cummings:** Mr. Vice-President, I beg to move the following Motion standing in my name:

*Be it resolved* that the Senate adopt the First Report of the Joint Select Committee on Government Assurances.

Mr. Vice-President, the Joint Select Committee on Government Assurances is a Standing Committee which is established by Standing Order 98 of the Senate and Standing Order 108 of the House of Representatives. It is a new Committee. This Committee was created consequent on the review of the Standing Orders of both Houses, which occurred during the Tenth Parliament.

The Committee has been given the mandate to scrutinize the assurances, promises and undertakings given by Ministers, from time to time, on the floor of the House, and report on the extent to which such assurances, promises and undertakings have been implemented, and when such assurances, promises and undertakings have been implemented and whether such implementation has taken place within the minimum time necessary for the purpose.

In November 2015, Mr. Vice-President, the following Members were appointed to serve on the committee: Mrs. Bridgid Annisette-George, MP; Mr. Adrian Leonce, MP; Mr. Anthony Garcia, MP; Dr. Surujrattan Rambachan, MP; Ms. Christine Kangaloo; Mr. Foster Cummings; Miss Khadijah Ameen; and Mr. H.R. Ian Roach.

Pursuant to Standing Order 99(8) of the Senate and 109(8) of the House of Representatives, the President of the Senate and the Speaker of the House were designated as Chair and Vice-Chair, respectively.

Mr. Vice-President, this Committee is the first of its kind for the Parliament of Trinidad and Tobago. The Committee spent considerable time at its first meeting on the analysis of its mandate and the best method of fulfilling this. It was noted that similar committees existed only in a few democracies. The method of operation, which the committee sought to adopt is a mix of what was observed in the reports of similar committees in the Lok Sabha of India, the National Assembly of Seychelles and the National Assembly of Zambia.

As outlined in this report which is before us today for adoption, the following would be the key elements of the Committee's procedures of operation:

- the adoption of a list of standard phrases that indicate an assurance;
- the maintenance of an assurances ledger;
- the issuance of notices of assurances to Ministers and Permanent Secretaries;
- the request for written responses and updates on the implementation of assurances;
- the issuance of reminders where necessary;
- site visits if necessary; and
- periodic reporting to the Parliament.

The Committee took care in its selection of the list of standard expressions, which is now being proposed to the Senate as being indicative of a Minister giving an assurance to the Parliament. The Committee agreed that Ministers needed to be certain when giving assurance that that was indeed their intent. Casual comments given during the heat of debate and banter on the floor of the House could not comprise an undertaking for which the Minister would be accountable.

As seen in the list attached in the appendix to the report, the suggested introductory phrases are quote direct. For example:

- I give the assurance that;
- I give the undertaking that;
- I give the commitment that;
- I shall inform the hon. Member;
- We will put the matter in the shape of a resolution;
- The matter will be considered at the conference meeting to be held on;

- The matter would be taken up with the Government of;
- A copy of the report when finalized would be placed in the Parliament library;
- I shall supply it to the hon. Member;
- All the points raised by the various Members would be considered and the result would be communicated to each Member;
- The information is being collected and will be laid on the Table of the House.

Mr. Vice-President, these are the phrases that the Committee has determined will constitute an assurance being given by the Minister. The committee also gave consideration to the novelty of its existence and committed to the review of its operations should this become necessary.

Given the foregoing, the Senate is asked to adopt the First Report of the Joint Select Committee on Government Assurances and in so doing, accept the procedure of operation for the Committee. Mr. Vice-President, I beg to move.

*Question proposed.*

**Sen. Khadijah Ameen:** Thank you very much, Mr. Vice-President. I sat as a member of the Joint Select Committee on Government Assurances and I believe that it is a commendable thing that the Parliament of Trinidad and Tobago now has a committee to ensure that the commitments given in Parliament by Ministers, in particular, are kept.

**2.45 p.m.**

Mr. Vice-President, an assurance is a positive declaration intended to give confidence. It is a promise, and as this Senate considers the first report of the Committee on Government Assurances, I believe it would be worthwhile for all of

us in this Chamber, and in the other place, to consider the principles and the merits of an assurance, of a promise, of the value of keeping our word as leaders, and particularly at a time when governments and leaders the world over, are open to even greater scrutiny, and the presence of the ever watchful public is our judge. It is said that integrity is the lifeblood of democracy, and deceit is a poison in its vein, but even as children many of us are told do not make a promise that you cannot keep, and do not say something unless you mean it.

As we sit in this Chamber, we sit here as a result of the democracy of our country. We sit here based on the choice of the people of Trinidad and Tobago, and even before we come to Parliament and become Members of Parliament, we go out to people and we ask people for their votes. In so doing in our campaigns, in our respective campaigns, we would have made promises to the people of Trinidad and Tobago.

While it is good for the Parliament to have mechanisms, to ensure that the promises given in this space are kept, I believe it goes beyond the walls of Parliament, and into how we conduct ourselves, and how we keep the promises we make as leaders. Experience has shown that assurance reviews can help manage risk and improve delivery confidence. The people of Trinidad and Tobago will judge the Government not on the promises, but on delivery.

Mr. Vice-President, when the hon. Prime Minister, Dr. Keith Rowley, indicated in a *Guardian* report, for example, of January 17<sup>th</sup>, 2016:

“PM stresses: No job losses from Tobago ministry”

The opening line was:

“Prime Minister Dr Keith Rowley confirms that he gave assurances of no job losses to the public servants of the former Ministry of Tobago Development. This was contained in a release yesterday from the Office of

the Prime Minister.”

Then you look later on where we saw over 80 employees attached to Office of the Prime Minister were given termination letters. You saw the layoff from the Ministry of Agriculture, Land and Fisheries, where 67 workers were sent home. It was reported in the *Guardian*—[*Interruption*] and if the Minister does not know about it, it speaks a lot to what he might be doing, but this was reported in the *Guardian* of May 20, 2016. The Minister may want to look at it.

There are numerous other instances of this assurance not being kept, and I also should mention that there were also reports of Litter Wardens being dismissed from the Ministry of Rural Development and Local Government, and the regional corporations. Even beyond the issue of employment and job losses, there are a number of other promises that have been made, and the expectation of the population would be the judge in the long run:

“Rowley: No plans to axe GATE, OJT or CDAP”

Yet for quite some time, people who have been beneficiaries of these programmes, have been experiencing constant round around. [*Interruption*] They are constantly in anxiety, even those who are in receipt of food cards, and other social benefits.

While the Government has indicated that there are no plans to cut these programmes, what you have seen is the people who were beneficiaries of these programmes, have now been deprived of the benefits. It would do the Government well to come clean with the citizens, and I feel it is better if you tell them that you intend to cut the programme. It is better if you be truthful, than to play games. It is better if you indicate to them that you intend to cut the programmes, rather than make it very, very hard for them to access, and that is what the Government has been doing.

Despite the assurances from the Government not to cut the GATE

Programme, we have had revelations that the Government has some intentions to have some cutbacks, and this came following the budget of 2015/2016. The Government has indicated that it will provide funding on a needs basis. Of course, that makes for a lot of room for a lot of questions, and when you give the public the assurance, I believe, it would be wise not to play games. It would be wise to put very clear qualifications. If you wish to change the criteria, you should indicate so, but simply saying that it would be granted based on needs, leaves room for a lot of discrimination. Considering that under the previous PNM Government, revelations came that there were a number of discrepancies with regard to scholarships being awarded, and to funding being given for certain very special people to pursue studies.

Mr. Vice-President, in the Parliament from time to time Ministers would be asked questions, and the question of GATE has come up, and as we seek to put in these mechanisms to ensure that Government assurances are met, I think we must consider not only what is said in Parliament, but for all of us, what is said outside as well.

Mr. Vice-President, I am happy to see that these—to see this coming into being in our Parliament. When you look at other Parliaments who have reported on their committees, on Government assurances, they have indicated that in terms of their success rate, if you look at their success rate, in terms of how many Government Ministers do keep their word when they give an assurance to Parliament, it is very interesting to compare our results to those in other Parliaments, in other places.

Mr. Vice-President, when it comes to management and corporate governance, you know, putting assurance mechanisms in place, provides accurate and current information to the stakeholders, about the efficiency and effectiveness

of the policies, of the operations, and in this case, of the Government. The questions will be asked about your efficiency, and your effectiveness, and the status of compliance when it comes to the expectations of the citizens of Trinidad and Tobago.

Given this Government's track record of breaking their promises, as a member of this Committee, I look forward to the operation—[*Interruption*] of this Committee, to deal with what is said within Parliament, but I trust that the Committee coming into effect, will also bring awareness in the public domain, more so about what our politicians say, how our Government operates, and how our Government keeps their promises.

While I hear the crosstalk from the other side, denying that the PNM has broken their promises—[*Interruption*]

**Sen. Baptiste-Primus:** What promise have we broken?

**Sen. K. Ameen:**—there are a number of others and I could repeat them [*Interruption*] because I do have, Mr. Vice-President, and the public is very, very aware of a number of promises that this Government have already broken. [*Interruption*]

**Sen. Baptiste-Primus:** The one you serve under.

**Sen. K. Ameen:** The sad thing is, that it is not a quite a year since the PNM Government has been elected, and when we have people continue to lose their jobs, in spite of promises from the Government that will not lose their jobs. People are being denied GATE funding, and there are a lot of questions around— [*Interruption*]

**Sen. Baptiste-Primus:** Bring the evidence.

**Sen. K. Ameen:**—the changes around it. There are a number of people who benefited from social benefits that again, the questions around it, and quite frankly,

Mr. Vice-President, I think the people of Trinidad and Tobago do understand the economic position the country is in, and if you tell them that you are going to cut the programmes, they will appreciate your honesty—*[Interruption]* a little more.

**Sen. Baptiste-Primus:** Mr. Vice-President, Standing Order 46(1), please. I am really sorry to do this, but Standing Order 46(1).

**Mr. Vice-President:** Hon. Senators, in relation to the point of order raised 46(1), Sen. Ameen, it sounds like you do not have long again, in terms of your contribution?

**Sen. K. Ameen:** No, I am just wrapping up.

**Mr. Vice-President:** So I would allow you to continue, but I just want to say also, that the crosstalk is starting to get a little bit extensive. So if we can tone it down a little bit, to allow the Member to wrap up, and other Members to contribute. In relation to the point of order, continue.

**Sen. K. Ameen:** Thank you very much, Mr. President. Mr. Vice-President, I do apologise. As I was indicating, as a Member of this Joint Select Committee that comprises Members of both the Upper and the Lower Houses, I look forward to seeing the operation of this Committee, in overseeing the—that the commitments made by Ministers of this Government are kept, that the assurances given are adhered to, and that the promises given within the walls of Parliament are kept, but also, that I trust that the existence of this Committee will raise more awareness in the public domain, about the importance of our Government and our Government Ministers, keeping their word. Whether they give that word in Parliament and they are governed by these rules, but the principle of keeping your word, and keeping your promise.

Mr. Vice-President, I thank you for the opportunity to contribute. *[Desk thumping]*

**3.00 p.m.**

**Sen. Melissa Ramkissoon:** Thank you, Mr. Vice-President. Thank you for this opportunity, and I do appreciate this opportunity to add, only to add, to the First Report on the Joint Select Committee on Government Assurances as I acknowledge this is the first of its kind in our Parliament of Trinidad and Tobago.

In the report there was a statement made on item 2.2 which referred to a report on the research documents on the functioning of similar committees in other jurisdictions, and I found that to be quite interesting. I would probably ask if it could be considered to be included into this document. Mr. Vice-President, just for the listening audience who is looking on, this report is available on the Parliament website which all can access publicly.

After mentioning the research document, I looked at other committees, and what I could find online as this was not shared—and I looked at two particular committees, one in Australia and one in Ghana—the government assurances in Australia were set up a little bit differently to our committee set-up. It was more of a review branch with a budget which conducts reviews and provides advice throughout the duration of the review process. When I looked at Ghana, it was actually a bigger-size committee with no more than 25 members and, again, it was different to this committee.

So I must applaud the efforts of this Parliament as well as the committee that is set up to try to set their own path in raising government assurances and really trying to set a method of operation. This is truly a step in the right direction. It really speaks of assurances. Assurance is a review that can help manage risk and improve confidence, and definitely we would like to build our public confidence and trust, and the Government is trying that. So this is definitely a commendable effort.

So, basically, what this Committee, in my view, what it is seeking to do is really to hold Ministers and Permanent Secretaries accountable, and giving power to the politicians' spoken word. I believe this Committee seeks to ensure accountability and provide oversight during implementation and delivery of outcomes and benefits.

Now, Parliament as we all know, Mr. Vice-President, is a watchdog of the people's rights and there are multiple systems set up presently to ensure compliance and transparency. I do hope that this particular committee based on government assurances is not limited only to Ministers and Permanent Secretaries as other members hold portfolios within the Government Executive.

So in relation to the report, Mr. Vice-President, if we all look at it, I would like to just talk about briefly the steps that I saw we outlined in the report or that was outlined in the report. One of the first points in the process is the verbatim reports of proceedings which will be reviewed for government assurances made. So it should be noted that it is only applicable for the commitments made within this Parliament Chamber and not during Joint Select Committees or other areas. It is strictly for the Chamber. So this is of note.

The second point in the process which is related to:

Statements will be recorded in e-format in the Assurances Register with details on Date/House/By whom/Text of the Assurance/Follow-up Comments”

And this e-format I find it is very commendable. I would like to know if this would be on the Parliament website as well for all to access as well as the public can assess the status of such an assurance register and see what progress it is at.

My third point is there are multiple functioning parliamentary oversight committees presently, Mr. Vice-President, and in a scenario where during a review

of a government assurance and an uncertainty arises that is not in the remit or may not be in the remit of the present Government Assurances Committee, would the findings at that time be referred to another oversight committee that can handle such case, and would be able to deal with the matter and provide an independent assurance on how best to ensure that programmes, projects are successful? This is expected for a new committee, because this is a new committee which is trying to define the line of what is within and not within the scope or the purview of the Government Assurances Committee. So it can be a challenge and hence I would like to request that the Committee look at that. So where there are areas where they need to refer it, how it would be done and if that is in the remit as well.

My fourth point is within the process of the review, Mr. Vice-President. Ministers or Permanent Secretaries should take care and circumspection while formulating implementation statements so that the entire spectrum of the issue involving the assurance is covered, and the main issue requested in question is not side-tracked. That is one of the aims of the Committee.

Now, I have noticed a challenge during our oral questions within this Chamber that sometimes the main question asked, and based on the amount of information presented by the Minister, we sometimes side-track and we deal with a totally different issue now, and the main issue questioned may be lost because of the amount of information presented by that one statement. So I would like to probably interject that into the Committee for them to review, as how they would deal with situations where when the Minister is providing a government assurance statement, how do they treat with it to say, okay this has been covered, and just the amount of information, the wealth of information, did not really just side-track them to another issue that is of equal importance.

My fifth point that I looked at when I looked at the Government Assurances

Committee report was the onsite review by the Committee before actually closing off the item. Now, it was stated that they may do this, and I thought it was very commendable as the Committee can follow up on carrying out site visits to assure that an assurance or a project is completed before stating such on the assurance register.

My sixth point: after reviewing the last appendix II, which states the list of standard expressions which indicate an assurance, I felt after listening to Ministers give their statements and make assurances within this Chamber, I felt it was necessary maybe to—or I would like for the Committee to consider including the line as a standard expression: “Consultation shall be held with”. This I think is an important point to be held as an assurance because this is a phrase that requires accountability as a government assurance, and it really starts the first step of critical thinking, making a critical decision for the best way forward for our country and for our system. So many times the public always cries out for consultation, the need for consultation, and we always hear, yes they will be held. So I would like for the Committee to consider including that as a government assurance.

My last point, after reviewing the Committee report, is that the final committee report should reflect on how many assurance notices were issued and how many issues were resolved as well as deferred due to an alternative strategy or something that has been completed to show progress and gain the public’s trust and confidence. So, just as we have the assurance register, I think it is noteworthy, Mr. Vice-President, to have a status as to say how many assurances were completed to show the work done by the Government.

So, Mr. Vice-President, with these few words and these few points, I really would like to commend the Government on really setting up a functioning—

[*Interruption*]*—*a Parliament, sorry. Well, the Parliament has the government assurances, but it is only if the Government wants to have it functioning they will make it happen. So we really would like to see it functioning, and for it to function, well I really raise these seven points that I would like to be considered and, as always, I avail myself if any further information is required on any of the points I have raised. And, again, it is online for all persons to read and really make their own formulation of what is the best way forward. So I thank you, Mr. Vice-President and I thank you all. [*Desk thumping*]

**Mr. Vice-President:** Sen. Cummings.

**Sen. Foster Cummings:** Thank you, Mr. Vice-President. Mr. Vice-President—  
[*Interruption*]

**Sen. Mark:** Mr. Vice-President, we have a problem.

**Mr. Vice-President:** Is there an issue?

**Sen. Dr. Mahabir:** Yes.

**Mr. Vice-President:** Go ahead, Sen. Mahabir.

**Sen. Dr. Mahabir:** Mr. Vice-President, we did have two speakers that we wanted to field. I was under the impression that the Opposition was fielding a second speaker, and hence I did not alert my Members as to coming in second. So, will you be willing to waive your ruling, Mr. Vice-President? **Mr. Vice-President:** Yes, but I would just like to remind everyone that the Standing Orders do make provisions that if you wish to speak or contribute to the debate that you must catch the eye of the Chair. In this particular instance, I would have to ask for the leave of the Senator who was on his feet and started his contribution if he would so do, give way. [*Sen. Cummings sits*] Yes, he has given way [*Desk thumping*] so, therefore, Sen. Shrikissoon.

**Sen. Taurel Shrikissoon:** Thank you, Mr. Vice-President, for your ruling and

allowing me to enter into this debate. I want to thank my colleague, Sen. Cummings for giving way, [*Desk thumping*] for allowing me to also make a contribution to the work of this Committee on Government Assurances.

Mr. Vice-President, I would really like to take this opportunity to congratulate all members of the Joint Select Committee who pioneered the work on government assurances. What is really noteworthy is that this committee, from the notes that I have, would have met on January 29, 2016 and some five months later we are here considering the first report. So I am saying this is a very timely intervention, and I think they worked very efficiently and that committee really needs to be commended for such an effort. [*Desk thumping*]

In keeping with the commendations, I would also like to comment on the style of the report and the manner in which it was laid out. The initial objectives were identified, the research collected and analyzed and a way forward presented, and I thought that this logical approach would really help in assimilating and analyzing the information, really charting a course forward. I personally have a liking for a logical flow and sequence, and this really emanated from the report, and I really want to commend the team again for that. Of importance to me as well is a point in the report that says:

The Committee agreed, that given that this was a new committee, time was needed to observe this initial procedure at work. The Committee agreed to review the processes, if necessary.

Really, I want to commend the team again for such an approach.

I remember recently in this Senate the hon. AG was saying that they were chatting with the team from Jamaica and they were saying that there was legislation being crafted with both the Opposition and the Government working together and he used the expression: "We are building the plane and trying to fly it

at the same time”, and I am thinking here to adopt a working approach to this committee and to the findings of this committee is very commendable, because we may not get it right the first time around, but having to work with it and build on it as time goes by, I think is very, very noteworthy and commendable. Such an approach, in my mind, really demonstrates the maturity of our leaders coming together and having a bipartisan approach to governance and improving the oversight of this Parliament.

I would like to say here that the Government Assurances Committee really is an important one, because what it is actually doing is actually holding the leaders of our country who are empowered and in whose portfolios the resources of our country lie. It really encourages them to work effectively and efficiently in the interest of our people. So it is not just about the assurances, but it is how well the resources of our country are being utilized to serve our people.

### **3.15 p.m.**

I want to make a quote, and this quote comes from the hon. Mike Gizo, Member of Parliament and Member of the Committee of Ghana, stressed that:

The Committee on Government Assurances should not focus so much on the negative, it should be viewed as corrective.

That is to say, the Committee of Government Assurances should ideally stop a Minister from breaking a promise before he actually breaks it. So it is not to say that it is an antagonistic approach, or looking for an area where an assurance just falls through but just remaining the Minister or the Parliamentary Secretary of his assurance, and ensuring that it occurs. So it is not one that is going to be antagonistic, or it should not be one like that. So with that introduction, Mr. Vice-President, I would just like to refer to the report that was submitted to us, and as Sen. Ramkissoon spoke of, the verbatim notes that were also provided.

In this approach, or in this report, a definition of assurances was given, and it says:

“an assurance is a statement made to the House in which the Minister/Parliamentary Secretary promises to undertake an action or implement a policy or new plan.”

And that I really found was all inclusive and really represents the intent of this Committee on Government Assurances. As Sen. Ramkissoon also spoke of, she and Sen. Cummings, in his address, or in his opening, he referred to the list of standard expressions that was used, and like Sen. Ramkissoon, I would also like to suggest to the team that one additional phrase be considered as a phrase that demonstrates an assurance, and that would be “the matter is being...”, or “the matter will be investigated”. I think that is a critical one for the Committee to be used.

But I want to pay attention a little bit to the procedures that were used for the process for recording, review and follow-up, and reporting, and it was said that an assurances ledger would be created so as to record all the assurances made in this honourable House. The fields that would be used to collect information on the assurance would be, date by House, by whom, text of the assurance, and follow-up comments, and that was actually point two. I want to read it, it says:

“Statements will be recorded in e-format in an “Assurances Register” with details on Date/ House /By whom/Text of the Assurance/Follow-up Comments”

What stood out to me at this point in time is we are dealing with assurances, we are collecting data on the nature of the assurance given, but we are not collecting data on the time frame, and I think that is important. If an assurance is to be given, at least a time frame should be given within which that assurance would be

completed, because to give an assurance without a time frame leaves us with open expectation as to when it could occur. [*Desk thumping*] So I am asking that a time frame be considered.

I want to say this though, that according to the House of Representatives Standing Order 108, and Senate Standing Order 98, it says here, point (b), it says:

“when such assurances, promises an undertakings have been implemented and whether such implementation has taken place within the minimum time necessary for the purpose.”

That is in the Standing Order. So if it is there, I am saying, a part of the assurance registers and a commitment from those who are making assurances is a time frame. Now, if we look at the parliamentary committee in India and their manuals, chapter 8 on their assurances legislated what time frame should be given. It says here in Chapter 8.4(1):

“An assurance given in either House is required to be fulfilled within a period of three months from the date of the assurance. This time limit has to be strictly observed.”

So we are seeing here in India that the time frame for the assurance is being legislated.

If we flip now to Ghana, it says here, Mr. Asamoah, Executive Secretary of the Ghana Integrity Initiative, specified the need for time requirements, so we are seeing both countries recognizing the need for time requirements, but he did not agree that there should be fixed time frames in which the Minister must fulfil, or at least follow up on their assurances. I want to suggest that we follow that same pattern because different assurances would require different times for implementation, and, therefore, the Committee should be empowered to at least rule on the appropriate time frame assigned to a particular assurance, rather than

just having a legislated approach.

Mr. Vice-President, I also want to refer to points numbers three and four, according to this report, and it says here:

“Ministers will be advised by Notice, within fourteen (14) days of the sitting, that their statements have been recorded as an Assurance.

Ministries are given twenty-one (21) calendar days to provide an update on the implementation of the assurance.”

So if I am to understand this, once an assurance is given in the Parliament the Committee will write to the Minister informing him within 14 days that an assurance is given. The second point speaks of Ministries are given 21 calendar days to provide an update on the implementation. Is the 21 days as a date being calculated or checked from the date that the assurance was given? Or is it being checked from the date of submission or the letter of reminding, or informing the Minister that an assurance was given? I am unclear. I am unclear.

So whether or not it is from the date of the assurance, or whether or not it is from the letter being submitted, or the Minister being informed, I am unclear, and so I ask for clarity with respect to this point. Also, in keeping with those same two points, I am asking, it says here, or point four, I should say, it says:

“Ministries are given twenty-one (21) calendar days to provide an update on the implementation of the assurance.”

The point subsequent says:

“If after twenty-one (21) days an update is not received from a Ministry, one (1) reminder will be sent.”

Here is my question, here it is in this honourable House we have Ministers and Parliamentary Secretaries making or giving assurances to the House, but when it comes to an update to determine what actually happened, all of a sudden we are

seeing the word “Ministries”. So we move away from Minister and we now include the Ministry, and I am saying if a Minister or a Parliamentary Secretary makes or gives an assurance to this honourable House they should be held accountable and not be allowed to allow it to slide by using the word “Ministry” [*Desk thumping*] for which no one person can actually say that they are representative of or in charge of, it is the Minister.

So let us get it right to the Committee, if a Minister makes an assurance or gives an assurance, or Parliamentary Secretary, the only persons or people that should be responsible for ensuring that the assurance is completed or given, or implemented, is the Minister or the Parliamentary Secretary, himself or herself. Further, Mr. Vice-President, it says here in that same point:

“If a response to the reminder is not forthcoming after seven (7) days, this will form part of the Committee’s report to the House.”

So if an assurance is given the Minister is reminded, or the Minister is informed, the Minister does not respond, the Minister is reminded and he does not respond, the consequence of it is information on an annual report that says, okay, this assurance was not met because the information was not forthcoming, and I am saying, as a consequence of not meeting an assurance this is not adequate. If an assurance is not met and the information does not come forward the person who provided the assurance should at least say why, and that should form part of the report. So that anyone who is looking on, or anyone interested in going through that report would know why an assurance in this House that was given in this House was not implemented or provided, and not just as a result of non-provision of information.

Point six here says:

“The Committee may also follow up by carrying out onsite visits to ascertain

that an assurance or project is completed/implemented”

I am asking, what happens if the assurance refers to an intangible, such as information, which has happened here in this House? So the Minister or the Parliamentary Secretary gives an assurance that the information will be provided, but the wording of the rules and procedures of the Committee does not provide for intangibles. It says that:

“The Committee may also follow up by carrying out onsite visits to ascertain that an assurance or project is completed/implemented”

Then what happens if we were waiting with bated breath for relevant information? So I am asking that the Committee also considers the provision of information or intangibles in their procedures, and probably even amend this to say, the Committee may follow up by carrying out visits to ascertain that an assurance or project is completed or implemented, or information provided. And, more so, as we seek to have an on-site visit to verify or confirm we should also have the ability to confirm the integrity of the information provided, because we do not want a situation where full information is not presented, or it may be inaccurate in some form. So I am asking that the Committee also considers that aspect of intangibles with respect to verification and confirmation.

A very noteworthy point that I saw here that I think it is very relevant, and it comes as in terms of the membership of the Committee, and if I could find it quickly, it says here that in terms of the composition of the Committee, the Committee comprised, Mrs. Bridgid Annisette-George MP, Mr. Adrian Leonce MP, Mr. Anthony Garcia MP, and Dr. Surujrattan Rambachan MP, all of the Lower House, or the other place, I should say—my apologies. And at the sitting of the Senate the following persons were appointed to serve on the Committee, Ms. Christine Kangaloo, our President, Mr. Foster Cummings, Miss Khadijah Ameen,

and Mr. Ian Roach. Now if I analyse what happens here we are seeing that it is an eight-member team, five of which are members of the ruling party, two of the Opposition, and one Independent. So if we put it together here and we are saying, here is a committee that is going to hold a Minister or Parliamentary Secretary accountable for an assurance given, and the committee that governs that is a committee that is skewed or biased in favour of the Government or the ruling party.

So then you have a situation where you have the ruling party bias, as well as a loyalty bias. [*Desk thumping*] So how can a party, or how can a committee that is favoured in terms of composition in the context of members of the ruling party rule on assurances given by the ruling party? And that I have a concern with, because if it comes down to a vote, let us just say, a democratic process, that Minister or parliamentary secretary will escape. So I want to suggest to the Committee that let the Joint Select Committee on Government Assurances be balanced in terms of Government and in terms of the Opposition. So if you have—I am just using a number here—three Government, three Opposition, and if you have that, and one Member of the Independent Bench—I am just saying, suggesting—and so you are assured that whatever the assurances given, if held, there is no loyalty or party bias towards the ruling party, and I think that needs to really be looked at in terms of a recommendation.

So, Mr. Vice-President, with respect to the Motion here before us, or the report before us, again, as I close, I really want to commend the Government and the Parliament for this Committee. I think it is an excellent step in terms of the direction and strengthening the governance of our land. It creates expectations of all Members of this House and the people, but reasonable expectations if time frames are considered so that we are not left in waiting, and so I ask for that

recommendation that time frames be considered. I also would like to remind this Committee that I ask for clarity with respect to the time frame of the 14 days and 21 days. I also ask that the Ministers be held accountable and not the Ministries, and in considering assurances let us consider intangibles in terms of information, and also ask for the Committee, the composition of the Committee, to be considered so that there is no bias towards the ruling party so that the real strength of the Committee could be extracted in terms of assurances given are provided or implemented.

With these few words, I thank you, Mr. Vice-President. [*Desk thumping*]

**3.30 p.m.**

**Sen. Wade Mark:** Thank you very much, Mr. Vice-President. I too would like to join in congratulating the Members of this Joint Select Committee on Government Assurances for this preliminary report which seeks to provide us with a framework given, as they have claimed in this report, the limitations of time and the need at some subsequent time to review this whole process.

Mr. Vice-President, I am inclined to move for several amendments to this report, but I know that time is not in our favour. I know that this week Parliament goes on a fixed recess and I would not like this report to collapse. So the mover of this report, the Sen. Foster Cummings, I would ask him to take note of the several recommendations that I would advance for the consideration of the committee as it seeks to review their work and their mandate in the context of areas that they could look at to strengthen this particular work of this particular committee.

Now, Mr. Vice-President, this report before us talks about—first of all it has a list of standard expressions which indicate an assurance and it is just a few that they have here, but there are so many phrases and statements that can be utilized,

that can be used by a Minister or a Parliamentary Secretary, that those phrases and statements of assurance or a promise or an undertaking is not reflected in these expressions. So first of all what we have here is a very narrow interpretation of government assurances and I think that we are starting off on a bad foot. Now, that is one area that I would like to indicate.

When we go to the Minutes of the meeting on page 8 and you go to paragraph 4.3:

“Members also agreed that Question Time, Debates on Bills, Ministerial Statements and the raising of Matters on the Adjournment, would be occasions for the recording of assurances.”

Are these the only periods when we are discussing matters that assurances would be given? I do not believe that. What about Government Motions which are different from Government Bills?

Mr. Vice-President, you would recall that the Minister of Finance came in this House with four Motions dealing with the raising of loans and we divided them in two parts. Two Motions came first and we came and we went and debated the second two Motions subsequently. And if you go to the record, and the *Hansard* record, the amount of promises and undertakings and assurances given by the hon. Minister of Finance during those Government Motions, how is that going to be reflected? It was not a Bill, Mr. Vice-President.

So I am proposing for the consideration of this Committee that we include debates on Government Motions, that you must include that. So when we are searching the *Hansard* record, one of the areas that we will be looking at for government assurances undertakings and promises would be Government Motions. And what about Private Members' Motions? I remember when we dealt with cybersecurity and cybercrime and bullying, the Attorney General gave a lot of

commitments here, but where is that being reflected in terms of undertakings and assurances?

So, I think it is a bit narrow to start with and I am proposing that we include Private Members' Motions, as well as Government Motions to start with. So I would like the hon. Member who moved this Motion to give consideration to this particular submission.

I want to also ask, Mr. Vice-President, when we go through all the steps as outlined on page 9, starting at the bottom of page 8 into page 9, what happens when the Minister refuses to honour his commitment to the Parliament? What happens? Would we just have it in the report? So we are going to name and shame the Minister? No. No. No. Or we take him to lunch? What do we do when the Minister comes to the House and gives an undertaking that he will do X or Y and then all we have is a process and it goes nowhere after a period of time. Well, I am proposing we must implement sanctions and penalties. [*Desk thumping*] We may have to take that Minister to the Committee of Privileges for contempt of this House. Because you cannot come here, give an undertaking and when you give that undertaking you mamaguy the Parliament after by carrying us on all "kinda" long journeys with no end in sight for our arrival.

So, Mr. Vice-President, I am suggesting to the hon. Member who moved this Motion for the adoption of this report that we should take on board very seriously penalties/sanctions for failure to implement and translate assurances, undertakings and promises into reality and action. I want to ask the Member to consider this submission.

Mr. Vice-President, I want the hon. Member as well, if I may repeat because it is very important, I have looked at several reports out of India, out of Zambia and another country, and you are seeing different phrases, different expressions

being used in a very sophisticated way in other Parliaments, and when you translate them, you translate them into assurances, undertakings and promises. They are not recorded on the list that you have here. And whilst I recognize and appreciate and understand it is a new committee and we are going through a period where we are learning and we will gather experience as we go along, I believe from very early we should look, the Committee should look at expressions used in the Lok Sabha because there many expressions here that I think Members use here and are not captured in the list. And I think that they ought to be captured in the list under assurances, promises and undertakings. I think that if we do so, Mr. Vice-President, it will give this House, this Senate a certain amount of strength in order to hold the Executive to account. Because at the end of the process, one of the functions of this Parliament and this Senate is to hold the Executive to account and to bring them to book. So when they make promises, they must be able to carry out those promises and commitments.

So as I said, I do not want to do anything to disrupt the flow of this report. It is the beginning of a process. I would have liked to propose several amendments, but I am very mindful that Parliament is coming to a close as it relates to the recess and I do not want this report to lapse or to collapse. So we can move forward with the report, taking into account the concerns that we have raised and other Members may raise during this debate on this Motion and we appeal to the hon. Member, who is the mover of the Motion, to report to the Committee on Government Assurances the concerns of the Senate as it relates to the areas that we mentioned thus far. And the next report would really witness an improvement on the list of expressions that we have here and we would widen the ambit of the definition that would capture assurances, promises and undertakings inclusive of Private Members' Motions and Government Motions. With these few words, I wish to thank you. [*Desk thumping*]

**Sen. Dr. Dhanayshar Mahabir:** Thank you very much, Mr. Vice-President, for granting me this opportunity to speak. Let me first offer commendations to the mover of the Motion, Sen. Cummings, for preparing a report, in my mind, that was comprehensive, well written, lucid and one that will, I think, take the Committee's work further in this Parliament.

Mr. Vice-President, I want to commend again all Members of the Committee, the mover of the Motion and committee Members because this is an entirely new committee in the Parliament of Trinidad and Tobago. And from my own experience chairing a new committee as I did in the last session of Parliament, it is always a very demanding task trying to identify and feel your way with respect to the work programme, the agenda, how are you going to organize and structure this Committee because you have very little to work with in this current Parliament. Fortunately, there are Parliaments around the world which would have had committees of a similar nature and they offer a learning experience.

And may I recommend to the Government, in the interest of furthering our parliamentary democracy, that it would be incumbent upon the Government to ensure that Members of our Parliament have the opportunity to interact with Members of other Parliaments, to ensure that the arrangements of the Inter-Parliamentary Union and other agencies which will further parliamentary understanding is something that the Government provides some financing for Members. These are not—the public may hold the view that these are trips that parliamentarians go on for mini holidays. They are not. They are meant to ensure that we could learn new things quickly and so I would recommend to the Government that whenever in particular we have new committees, that as far as is practical, members of these new committees be given every opportunity to interact with our foreign counterparts so that we will be able to shorten the learning curve.

**3.45 p.m.**

And, in that context, I think we in Trinidad and Tobago have earned a lot of experience in committee system, and we too should be in a position to lend technical assistance to Caricom Parliaments which may so desire, and I think parliamentarians should make a commitment that we should lend our expertise to any Parliament in the Commonwealth Caribbean which makes a request for sharing our experience with them on similar committees. And in that way we further, not only parliamentary experience and parliamentary competencies, but we deepen regional integration at the level of the Parliament as well.

That as an aside, Mr. Vice-President, I think that this Committee, again, is a pioneering one because it does in my mind go in an area that we should have gone in before. And, that is, we should not be functioning on the letter of the law. We should be functioning at a level of understandings that there are agreements, there are understandings that when we make some commitments we operate in a collegial system, and I think this particular committee is ensuring that that aspect of parliamentary practice can in fact be initiated and promoted. So that, as we move from strictly letters of law now to understandings, gentlemen's agreements, the fact that we make some verbal commitments, which we know it is incumbent upon us as professional parliamentarians—once we are MPs we become professionals—we hold ourselves to certain standards, and if we give an assurance and make a commitment, then we are duty bound to ensure that we will be obliged to discharge our functions, and I think—

**Sen. Baptiste-Primus:** You have females present here.

**Sen. Dr. D. Mahabir:** There is something known as the Interpretation Act, and the Interpretation Act when we say gentlemen's agreement, we mean ladies' agreement too. There is an Interpretation Act for the lawyers here. We know that

we mean everybody, so that we want the agreements from everyone.

And the substantive point, Mr. Vice-President, is that once commitments are made, certainly by members of the Executive, but, in my view, if the commitments from other members should also not escape scrutiny. If I give a commitment that I will provide information to a member sitting on the Independent Bench, I should be duty-bound to supply the information as well, and I should be sanctioned if I do not comply in the requisite period of time. So that we are moving now to a system of understandings, and I think we are moving to getting parliamentary practice to the next higher level.

May I recommend for the Committee the following: whenever a Minister makes an agreement, or undertakes, or gives an assurance to supply information, data, or to undertake a commitment to do a number of things, that agreement should be binding, because Ministers can change mid Parliament. So, the Minister of Health, for example, may give an undertaking to tell us what the cost of CDAP drugs is, what kind of measures he is undertaking to ensure that we have low cost pharmaceuticals for the population. If that Minister is replaced in the middle of a parliamentary term, since I think the Minister has given an assurance in public, in my mind it becomes public policy, he is, of course, the Minister of Health. The subsequent Minister should be the one also to come to the Parliament to indicate, right, former Minister has given the assurance to tell us what the cost of the CDAP programme is, I have come as the substantive Minister to indicate that this is the particular cost of the programme.

So that it should be binding across Ministers, especially when Ministers and Parliamentary Secretaries may be shifted around, and one should not escape a commitment simply because one no longer has that portfolio. I think he has the task of being the Minister of a Ministry and his successor should be duty-bound for

that, again, for the consideration of the committee to so do. I want to emphasize and re-emphasize the issue of timelines. There are some assurances which can be complied with in a matter of a week, some may take a longer period of time, especially when the data is not readily available, I think the Committee should be responsible for indicating reasonable timeline, so with the emphasis on how much time could we normally expect this data to be, or this information to be forwarded to the Parliament given the existing circumstances in which we are operating? So, we do need to look at the issue of timelines.

And, finally, Mr. Vice-President, we have to look at the issue of sanctions. The Leader of Government Business, Sen. Wade Mark, did indicate that a Minister who is non-compliant and who refuses to comply should be subject to some sanctions.

**Sen. Baptiste-Primus:** Leader of Government Business?

**Sen. Dr. D. Mahabir:** The Leader of Opposition Business, sorry.

**Hon. Senator:** He got promoted.

**Sen. Mark:** He is anticipating. [*Laughter*]

**Sen. Dr. D. Mahabir:** Whatever it is, Mr. Vice-President, I am referring to Sen. Wade Mark, Leader of Opposition Business. And it re-emphasizes my earlier point that there seems to be, at least in the benches in front of me, musical chairs. There is rotation. Whatever it is we do know that Sen. Mark has asked for sanctions. Let me suggest what a sanction might be, because without a sanction the committee will not be able to enforce the orders that it may issue. I think a member who has given an assurance to the Senate should be called upon by our Senate President, because our Senate President is a member of this committee, to inform the Senate on the status of an outstanding assurance before June 30<sup>th</sup> of a year.

So, I think, the Committee has the authority to inform a Minister, a Parliamentary Secretary, or in fact, I would like them to expand their remit to a Member, that you gave an assurance, it appears as though the time has passed for you to comply, and the Member concerned is not acknowledging the emails; he is not listening to the Chairman of the Committee, he is too busy to reply. I think since the assurance was given in the Senate, I think it is the duty of the Presiding Officer to inform the Member who has given the assurance in the Senate, that he or she should comply before June 30<sup>th</sup>. And, I am now coming to the sanctions.

We need, Mr. Vice-President, to place the Committee of Assurances in some way in the Standing Orders of the Senate because the Standing Orders actually will allow for the Senate to impose the sanctions. I think in the Standing Orders we should recognize that this Committee of Assurances will have all assurances complied with by June the 30<sup>th</sup> of the year, and failing that it would be left up to the Senate to determine what the sanctions will be for a member who, without just cause, has not complied with the directives of the committee by June the 30<sup>th</sup>. Is it that the member will be referred to the privileges committee? Is it that the member will be sanctioned by his leader, the Leader of Government Business? We will work that out, because it is a new committee. But I am off the view that in the Standing Orders of the Senate, it should be stated quite clearly that all assurances should be complied with by June the 30<sup>th</sup> of the year. And, the sanctions will then, of course, will have to be debated when we come to the Standing Orders Committees.

So, I cannot see this assurance committee co-existing independent of the Standing Orders Committee. I think there should be some kind of position, statement in the Standing Orders so that the sanctions can in fact be enforced and enforceable, and that the member who is not compliant, who has defied the

gentleman's agreement and the lady's agreement is someone who will face the sanction of the Parliament, and so that one hopes we do not get there. But, given that people are what they are we do need a fall-back position so that the Senate itself can have some kind of recourse with respect to the respect for the work of the Committee.

Mr. Vice-President, I commend the work of the Committee. I know the difficulties involved in a committee of this nature starting for the first time, there will be teething problems, there will be a lot to debate and settle on, but in the spirit of ensuring that we are now in the era of understandings, I feel confident that the Committee is going to do, for the Parliament, a great service.

I thank you, Mr. Vice-President.

**Sen. Foster Cummings:** [*Desk thumping*] Thank you, Mr. Vice-President, and let me thank the four Senators who contributed to this Motion. And, since we are discussing assurances, I give the assurance to those Members who have contributed [*Laughter*] that the comments and recommendations that you have made will be compiled and duly considered at the next meeting of the Committee. That is an assurance that I give to you today. [*Desk thumping*]

Sen. Ramkissoon, Sen. Shrikissoon, Sen. Mahabir and Sen. Mark, taken careful note of your comments, and I will also consult the *Hansard* to make sure that we capture everything, and that will be compiled and presented to the Committee at its next meeting, and you have that assurance. Sorry, Sen. Ameen as well. I saved Sen. Ameen for last because in Sen. Ameen's contribution, when she started off, I said, well, you know she is a colleague on the Committee and I really started to think, you know, Sen. Ameen was starting to sound like she can find some space across on the Government side, and then, of course, she went political. It is in her DNA, Sen. Ameen is a politician.

So, having opened up the debate a bit, it is incumbent on me to, in my closing, respond to certain things. And I want to say that this Government led by Prime Minister, Dr. Keith Rowley, will keep its word to the people of Trinidad and Tobago. [*Desk thumping*] And that I want to put on the record some comments in an article of the *Trinidad Express* June 30, 2016, by reporter Aleem Khan, and I read, Mr. Vice-President:

“THE International Monetary Fund (IMF) is forecasting an economic turnaround in Trinidad and Tobago next year.

And it is basing that forecast, not primarily on better oil and gas prices or production but on its confidence in the Government.” [*Desk thumping*]

“In its 2016 country report released Wednesday evening, the IMF reiterated what it said in its June 20 news release: a 600 basis point jump in economic growth from -2.7 per cent in 2016 to 2.3 per cent in 2017.

The June 29 country report forecast further out than the June 20 news release, which came a month after the IMF’s Article IV Consultation with Government ended.

The IMF projected further economic growth of 3.6 per cent in 2018, 3.2 per cent in 2019, 1.2 per cent in 2020 and 1.2 per cent in 2021.” [*Desk thumping*]

Mr. Vice-President, the Government of Trinidad and Tobago—the people of Trinidad and Tobago can be assured that this Government, under the leadership of our Prime Minister, Dr. Keith Rowley, will keep its word to Trinidad and Tobago and chart this country out of the situation that currently faces us.

And in so doing, Mr. Vice-President, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Resolved:*

That the Senate adopt the First Report of the Joint Select Committee on Government Assurances.

**SENATE STANDING ORDERS COMMITTEE REPORT  
(Adoption)**

**The Minister of Agriculture, Lands and Fisheries (Sen. The Hon. Clarence Rambharat):** Mr. Vice-President, I beg to move the following Motion standing in the name of the Vice-President:

*Be it resolved* that the Senate adopt the First Report of the Senate Standing Orders Committee, First Session (2015/2016), Eleventh Parliament.

Mr. Vice-President, as hon. Senators would recall, the Standing Orders of the Senate was adopted by the Senate on March 31, 2015, and came into effect on June 16, 2015.

**4.00 p.m.**

This Eleventh Parliament provided the first opportunity for the new provisions of the Standing Orders to be operationalized and, Mr. Vice-President, if we ever had doubts about the work of the Standing Orders Committee, even before we laid this First Report, we have an issue before us arising out of this session of the Parliament. Interpretation issues have been raised, Standing Order 13 dealing with the "Fixed Recess". So even before we laid the First Report and I move this Motion, the work of the Standing Orders Committee, as it continues, will involve an examination of Standing Order 13. And also, in this sitting, Sen. Mahabir has added to our work, by joining the work of the Committee on assurances with the work of the Standing Orders Committee, asking that the Committee consider in relation to the Standing Orders, penalties and sanctions that have been referred to. So even before I move this Motion, we have two issues before the Committee when it sits again.

So at the beginning of the session, the following members were appointed to serve on the Senate Standing Orders Committee for the first session, on Tuesday, October 20, 2015. The five members were Ms. Christine Kangaloo, the Chairman; Mr. Nigel De Freitas; Mr. Clarence Rambharat; Mr. Daniel Solomon; Mr. H.R. Ian Roach. And, Mr. Vice-President, the duty of the Committee is set out in Standing Order 80(1), which is:

“...considering the amendments to the Standing Orders from time to time whether referred to it by the Senate or not and making recommendations to the Senate thereon.”

Mr. Vice-President, the Committee held two meetings—it did not need a lot of work, it did not need a lot of time because it is a very slim Committee—Tuesday, February 12, 2016 and Friday, March 11, 2016, and out of these two meetings certain amendments were considered. These proposed amendments form part of the Report as Appendix II, and in the interest of time let me refer to eight aspects of Appendix II in which the proposed amendments are listed.

The first amendment I will refer to is the amendment regarding the oath to be taken, and this, Mr. Vice-President, the amendment that is being proposed, is merely to record what is already done in practice. I do not think anyone can dispute the need to do that.

The second amendment deals with Standing Order 27, and the:

“Manner of Asking and Answering Questions which Require Notice”

And again, the proposed amendment sets out to do what is already done in practice.

The third amendment I had referred to is part of the tidying up and the search for consistency between the Standing Orders of this House and the Standing

Orders of the other place to ensure that there is consistency. So, the third amendment to Standing Order 27 seeks to insert a provision that applies to oral deferrals. So the Committee proposes that there be consistency with the treatment of responses to written questions, between written and oral, and (16) of Standing Order 27 will deal with that.

The fourth amendment I will refer to deals with Standing Order 42, the:

“Time and Manner of Speaking”

Essentially, this is a very critical amendment and one that the Committee regarded as an omission, and it deals with the very important issue of declaration of interest. And if accepted, it would do the right thing in requiring that before participating in consideration of any item of business in the Senate, in which he or she has a financial interest, a member should disclose the extent of that interest. I do not think we can have any objection to an amendment of that nature, and it is regarded by the Committee as an omission.

The fifth and sixth area I had referred to arose out of Standing Order 46, and two things are proposed in relation to Standing Order 46. The first is that some language be deleted and the specific language appears at 46(4), and the expression “or the political parties to which they are affiliated” at the end of what exists, and the Committee proposes to delete the words “or the political parties to which they are affiliated”. And that has to do, Mr. Vice-President, in the difficulties which may be encountered by your good self and the impracticalities in enforcing in a debate amongst politicians and Independent Senators impracticality. So the Committee believes that it is sufficient that 46(4) says:

“It shall be out of order to use offensive and insulting language about Members of either Chamber.”

And that would suffice.

The second thing under 46(6), the Committee proposes towards the end, the words “personal reflection against a Member allegations of bribery or corruption”, is unnecessary. It is repetitive. We believe that the part that we proposed remains, is sufficient to deal with the mischief that it is intended to deal with.

The seventh area I will draw your attention to is in Standing Order 78 and 78(3), in particular, where the Committee believes that there was an omission, and we proposed the insertion of a new suborder (3), which reads:

“In reckoning the prescribed period of 40 days, no account is to be taken of any time during which Parliament is dissolved, prorogued or on recess.”

Of course, having regard to the difficulties encountered with Standing Order 13, the Committee must take note and be very careful in relation to Standing Orders which deal with time, and the calculation of time and dates, and the determination of dates, and all that goes with it.

And then finally, Mr. Vice-President, the Committee proposes an amendment to Standing Order 105, merely to remove unnecessary language which we considered to be repetitive. The current Standing Order reads at 105(1):

“Any Member who is unable to attend a sitting of the Senate shall inform the Clerk as early as possible of his inability to attend and seek leave of absence.”

Of course, if you are seeking to inform of your inability to attend, you will talk to the Clerk about your inability to attend. It is just removal of the expression “of his inability to attend”. Simple as that.

Mr. Vice-President, the proposed amendments are hereby submitted for consideration and approval of the Senate.

I beg to move. [*Desk thumping*]

*Question proposed.*

**Mr. Vice-President:** Sen. Mark.

**Sen. Wade Mark:** Thank you, Mr. Vice-President. May I extend my appreciation to the Committee members, on their First Report, as it relates to the Standing Orders Committee? I want to support the amendments that the Committee has proposed for the consideration of this honourable Senate.

I believe that these amendments are in order and the changes that have been proposed will go a long way in providing Members of the Senate with more space, not necessarily space to engage in unnecessary engagements, or assaults, but as the hon. Member said, it will put less stress on the Presiding Officers. Because when you compare and you look at, or examine, the Standing Orders in the House of Representatives, and you look at what is being proposed before the amendments in this Senate, you will realize the gap is extremely wide and you could have had some serious challenges being posed. So I would like to suggest that these are very appropriate amendments that I would like to endorse and support.

I would like to say from the very outset that I was a bit disappointed, and I do not know if hon. Sen. Rambharat would want to provide some clarification. I have observed, Mr. Vice-President, in the proposed amendments that were submitted for the Committee's consideration, the Committee chose for one reason or the other—and this is why I am asking the hon. Senator and Minister to, probably as a Member of this Committee, explain to this Senate why the Committee did not consider proposals that were submitted to it; why consider some and why leave out others and no explanations. I have looked in the minutes for explanations, for clarification, as to why these changes were not considered,

and I make reference to Standing Order 25, Mr. Vice-President.

Now, Mr. Vice-President, Standing Order 25 is a very difficult Standing Order, meaning, that for someone to ask and for it to qualify, that is an urgent question. It is stated here in Standing Order 25 that the question must be asked “on the ground of urgency in the public interest”

And the question must be urgent and it must have suddenly arisen for it to—in addition, it must require an immediate response in the public interest. Now, this is Standing Order 25(1)(b).

**4.15 p.m.**

Now, the criteria are very oppressive and it does not look at what is considered to be, Mr. Vice-President, another Standing Order which you would appreciate is very difficult to get approval for and that is Standing Order 16: a matter of definite urgent public importance. So here it is, Mr. Vice-President, these are urgent questions that are asked, not by the Government, they are asked by the Opposition; and I dare say if the Independent Bench would like to ask urgent questions, they can join, but they are asked by the Opposition.

But what we have observed is that it could not be that on two counts, you will be completely taken out. You are taken out, so to speak, in Standing Order 16 of the Senate Standing Orders because as you know, Mr. Vice-President, it is very, very difficult for this Standing Order to fly and to adjourn the House to deal with a matter of definite urgent public importance. It happens once in every two years, once every three years, it takes place. So, therefore, Standing Order 25 which deals with urgent questions should not be and cannot be seen on the same scale and be placed on the same level almost as Standing Order 16.

So, again, because of the difficulty that we are faced in the Opposition, in

Senate Standing Orders  
Committee Report (Adoption) (cont'd)  
Sen. Mark (cont'd)

having urgent questions qualify—but I must admit over the last period gone, couple of weeks, we are doing something right, Mr. Vice-President and those questions are being approved. But prior to that period, my records would show that I filed over 60 urgent questions and none was approved.

**Sen. Baptiste-Primus:** Bring it to the Clerk.

**Sen. W. Mark:** Well, all right and that is what I am saying. I am saying that this Standing Order 25 puts so many strictures—it must be urgent, it must suddenly have arisen and it must be in the public interest. So there are three criteria that you have to meet to qualify and get approval.

**Sen. Baptiste-Primus:** How many you rolled on in your former incarnation?  
[*Laughter*]

**Sen. W. Mark:** Well, I do not go back in times. [*Laughter*] I like back-in-times parties but I do not go back in times on these matters. [*Laughter and interruption*] So, Mr. Vice-President, I believe that the Standing Orders Committee ought to have considered changes that were recommended by the Secretariat to the Standing Orders Committee. And the Standing Orders Committee submitted to—no, the Standing Orders Committee was provided with information as to the New Zealand experience when it comes to urgent questions.

**Sen. Baptiste-Primus:** What it says?

**Sen. W. Mark:** It says urgent questions are designed to cater for those situations that need to be dealt with by a question and reply and for which the normal period of notice is inappropriate. The notice period for an oral question is four hours. Now, when it comes to what was being specifically recommended, it reads as follows:

The President shall approve the question if the proposed question relates to a

matter of a current nature.

Mr. Vice-President, not urgent, not suddenly arisen, not in the public interest per se, as three criteria. What is being proposed in this amendment that was submitted to the Standing Orders Committee was that:

The President shall approve the question if the proposed question relates to a matter of a current nature for which the normal period of notice is inappropriate and that he considers to be one which requires immediate response in the public interest.

Now, when you read and you compare this proposal to Standing Order 25, Mr. Vice-President, it is a complete difference. So a Member of the Opposition, and we are not always here because we are replacing you shortly, [*Laughter and interruption*] so we are here temporarily. When Members of the Government come on this side, they need that flexibility as well. They want to raise urgent questions and urgent matters. [*Interruption*] Well, even the Independent Bench may want to—I do not speak for the Independent Bench so I do not want to get there. I am dealing with the Opposition, we are the alternative Government, we are the Government in waiting. That is what we are.

So, Mr. Vice-President, I am saying that I would like the hon. Member who moved the Motion, Sen. Rambharat, to explain to this honourable Senate why this particular amendment was not considered when the Standing Orders Committee met. Because this amendment would have made it much more—it would have been a more flexible arrangement for us to utilize in an effort to deal with the people's business rather than have the business of the people, at times, challenged. Not challenged in the sense that Members would not want us to raise questions but because of the strictures and the very tight criteria that are placed on those

questions, due to no fault of the Members who are asking those questions, but because of the arrangement that we have in place that currently guides qualification for approval as it relates to urgent questions. And so, Mr. Vice-President, this is an area of concern and I would like the Government—I would like to move an amendment to this particular—the Standing Orders that we have before us.

But, again, Mr. Vice-President, I am very mindful that we are racing against time and I would not like for the Standing Orders Committee Report to collapse because we are not going to come back here in time to make changes unless I get that undertaking from Sen. Rambharat that we can look at these amendments before Friday. But I believe that it warrants consideration by the Standing Orders Committee and this Senate. So this is an area, as I said, I would like clarification from the hon. Senator as to why this particular amendment was not considered by the Standing Orders Committee.

I want to support him as it relates to the amendment to Standing Order 42 by inserting a new Standing Order 5 which reads:

Before participating in consideration of any item of business in the Senate in which he or she has a financial interest, a Member should disclose the extent of that interest.

I think this is very important so that the integrity of the process is sustained and not compromised. Members who are in the Senate and who have financial interest in a matter that is before the Senate have a duty and a responsibility to declare that interest. Because, Mr. Vice-President, if that is not done, a Member is guilty of contempt and that Member can be taken to the Committee of Privileges and action can be effected. It is so serious. So we must not take this matter of declaring your

interest, your financial interest lightly or frivolously. You cannot do it, this is serious business.

So once you know you have a financial interest in a matter that is before this honourable Senate, you must rise and declare it. If you do not, I can bring a Motion of privilege against you for contempt and you will be taken before the Committee of Privileges, and the committee will deal with you as they see fit via a report to this House as to sanctions which include apology, reprimand, suspension. And when you are suspended, as others are finding out, you would not get paid, so it is serious business.

**Sen. Baptiste-Primus:** But it is unfair. “Dah was ah unfair suspension.”

**Sen. W. Mark:** No, I am not dealing with any suspension.

**Sen. Baptiste-Primus:** “Well, yuh make a statement about a suspension.”

**Sen. W. Mark:** I am dealing with a broad issue.

**Sen. Baptiste-Primus:** Unfair. Unfair.

**Sen. W. Mark:** You see, you are too sharp on these matters. You want to go into areas and drag me along.

**Sen. Baptiste-Primus:** No, you did it.

**Sen. W. Mark:** I am not going there.

**Sen. Baptiste-Primus:** You! You did it.

**Sen. W. Mark:** Mr. Vice-President, I will pause.

**Sen. Baptiste-Primus:** You, you suspend our Prime Minister, you. “Doh come here and play yuh doh know nothing about that.”

**Mr. Vice-President:** Senators, Senators. The time is now 4.30 p.m. and I think it is a good time to take the tea break. As such, this House will now stand suspended until 5.00 p.m.

**4.30 p.m.:** *Sitting suspended.*

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

**Sen. W. Mark:** Thank you very much, Mr. Vice-President. I also would like to take this opportunity to compliment and congratulate at the same time the Standing Orders Committee for amending Standing Order 78. I think that is very important, particularly when dealing with Statutory Instruments. And I think how it was worded before, we would have been in some difficulty. But I think it is has been made very clear in the amended version, what the 40-day period would include and would not include.

And, therefore, Mr. Vice-President, as you know, when the Government, through negative resolution, takes action through Legal Notices, we have 40 days within which to bring to this Parliament, if we so desire, a Motion to annul that action or decision taken via negative resolution.

Now what is made very clear in this amendment is that it would not include when the Parliament has been dissolved or when the Parliament has been prorogued, or as we are going into recess during that two-month period, it would not be considered. So, therefore, the 40-day period is absolutely essential and I think how it is worded, it is very clear what we can do and what we cannot do.

So, Mr. Vice-President, I would like the Standing Orders Committee to consider some of the views that I have expressed and particularly the whole issue of “Urgent Questions” and to ask the mover of the Motion, in his winding up, to indicate why this particular provision was not considered by the Standing Orders Committee and whether an undertaking could be given that when the Committee meets in the next Session, this particular amendment that has been left out in the series that are now before us would be considered.

I think that the Senate ought to be proud that, in 2016, it is operating under new and comprehensive and revised Standing Orders. I think that prior to the amendments in 2015 that took effect when the new Session of Parliament commenced in September. I believe that prior to that, there were some slight amendments and changes back in the '90s under Alloy Lequay when he was the Leader of Government Business under the NAR. So the Standing Orders, and so on, of the Senate, while undergoing some limited amendments, never had the opportunity of undergoing major, comprehensive amendments.

And what is even more pleasing is that we have these amendments coming on the heels of those comprehensive changes in an effort to tighten and to make these Standing Orders more robust in the context of ensuring that interpretation and any democratic deficit that could arise, because of some of the provisions included, would be addressed when these amendments are approved.

So, Mr. Vice-President, I want to thank the Committee for the work that it has done. I would like them to consider the proposals and recommendations that we have advanced on this side, and we look forward to the hon. Minister, Sen. Clarence Rambharat, clarifying a number of points that have been raised. I wish to thank you very much, Mr. Vice-President. [*Desk thumping*]

**Sen. Melissa Ramkissoon:** Thank you, Mr. Vice-President. I also would like to join with Sen. Mark and commend the Committee on the Standing Orders Report that is before us. I must say I do like the style in which it was presented. It is truly clear, as in the stated existing proposed amendment and comments, and so we know why they seek to amend the report. I do commend that approach and that style. It is very much noted.

So, in terms of the Standing Orders, the purpose of the Standing Orders is to

contain rules for the conduct of the proceedings. And the Standing Orders are the rules that govern us all and which we have agreed to work with. Just like everything, we are legislators and just like we would like society to obey laws, we too need to conform and obey laws in order to have a proper system or a working system to ensure that we perform as a team, a performing team, not a forming steam, but a performing team, where you have end results. So, as per the Standing Orders, Members are allowed to adapt a debate style, to present their views in an impersonal manner.

I also would like to join with Sen. Mark in commending that these Standing Orders are updated because the last time it was amended was 10<sup>th</sup> June, 2015. So that is also something that is noteworthy.

Mr. Vice-President, we always cry out for transparency, accountability, value for money, and these Standing Orders ensure to hold persons accountable and ensure that the process that we use here is very transparent. And as always, I would like to point out that these Standing Orders are online for all persons to access. So it is not only limited to Members to access but everyone in Trinidad and Tobago can read the Standing Orders.

So, Mr. Vice-President, if we look at the report before us, there was, in relation to 27(8), which speaks about oral answers which have been changed to a maximum of four. This was changed as the comments state, to not lead to many questions being posed on one question and to really capture it and hold a kind of cap, because we have allocated time to questions.

I say that, when we say this we must ensure when persons answer yes or no, that is not considered an answer. Answers should be yes or no with an explanation. Okay? Because that is not considered. So if you are going to ask a

question as what, question 2, or question 3? You are wasting a question. Now I have seen this in questions and answers sessions in the Parliament so I could speak from what I have observed, and I really feel that the Committee, if they want to enforce a maximum of four oral questions or answers, we need to enforce that when the Minister or whoever is presenting, is presenting an answer, they should give an explanation and not just say yes or no. That is not acceptable.

My next point is related to another observation while serving in the Eleventh Parliament, in relation to Joint Select Committees, and it was noted in the contribution before about not all the Standing Orders were amended and I guess there are reasons for that, but it was not included in the report, so I would like to point out another Standing Order that was not amended in this present report, and that is 87(1), which deals with Joint Select Committees. If you permit to just read it into the record. It states:

“Joint Select Committees

(1) A Select Committee of the Senate of no more”—I believe the word “than” should be included into that sentence—“six Senators may be appointed to sit with a Select Committee of the House of Representatives of equal number to form a Joint Select Committee.”

Again, from serving on a Joint Select Committee on the Family and Children’s Division Bill, I had the experience and the feel of how this actually operates and it was a very good learning. But one thing that I found was a little unbalanced or a little tipped was the selection or the inclusion of the Independent Members and I had said before, the Independent Members do not have the luxury of other Benches that have a collective approach, where they have their caucus and they have every different Member could come together and share and this one Member could have

all the information. It does not work like that. The views and the expressions that I had expressed during my Joint Select Committee serving was mine.

So I would like the Standing Orders Committee to really look at that, because in this Senate, Mr. Vice-President, we are not the minority number, but yet in these Joint Select Committees we are the minority because it is one of nine, which is only like 11 per cent, if you want to look at it like that as a statistical value, and I felt that is not what we really want to reflect. So I found it very noteworthy to raise it.

I felt this is such a good thing, to have a debate on Standing Orders and amendments because every time we use the Standing Orders you never really get to voice your opinion, and I am really glad that I can use this opportunity to voice my feelings and my thoughts on the Standing Orders, my interpretation of the Standing Orders.

So, I really felt that after serving on this Joint Select Committee, because you have three Senators from the Government, one from the Opposition and only one independent Senator, as well you have the House of Representatives where you may have a four and a two. So, again, it is very skewed and we do not have a reflection of the Independent voice really being heard. Because my experience and my opinion might be very different to another Member. So I would like the Standing Orders Committee to really look at including another, at least two Members from the Independent Bench to really reflect that independent view and really show a different angle, other than the political ties.

My last main point, after looking at the Standing Orders, again, is from experience sitting in this House. I like in the report they said comments, we are changing this point because to reflect what is actually done in practise. So, in line

with what is actually done in practise, I would like all Members to reflect on Standing Orders 51(e) and (f), which states, (e) says:

“A Member present in the Senate during the debate—

(e) shall maintain silence while another Member is speaking and shall not interrupt, except in accordance with these Standing Orders;

(f) shall not engage excessively in cross talk or converse noisily with another Member or otherwise disturb the proceedings;”

So, first we want silence and then we tell them not excessive crosstalk. So I am not sure what we really mean by these Standing Orders. Are they supposed to complement each other or contradict?

So, I would like to suggest this as an amendment and it really should be modified to reflect what is actually practised in this House. And it should say it, and it is a proposal again:

Members shall not disturb speakers and crosstalk will only be permitted by and at the discretion of the President or the “proceeding” officer.

And this would allow Members to have their passionate crosstalk, but at a limit and will not contradict our laws because we want to ensure when we write something we adhere to it, because we are the exemplary body. We cannot write something that we cannot uphold and then expect society to adhere to laws that we, again, are going to write and agree to.

So, I know it is a little bit difficult because we are always so passionate, and again I learnt this. When I first came and I read the Standing Orders, I was so confused as to how this is not practised. So if we are to have Standing Orders we should ensure that it is followed and if it is not followed, it should reflect what is actually done, to ensure that everybody is on the safe side.

**5.15 p.m.**

Before I close, because that was my last point, at the last sitting we had a very—we even had a vote on if the Senate should continue to sit, based on the first week of closing in the month of July. That is in accordance with Standing Order 13. I must say, I also would like to state, that this matter should be referred again to the Joint Select Committee on Standing Orders, to ensure that we all understand what from the first week of July means, because English can be a very interesting and passionate subject. I did not do languages, but I do speak the language of origin in Trinidad and Tobago. So we need to ensure that we have that clarity, and I did remember, Madam President, at the last ruling, said it would be referred to the Joint Select Committee.

So, Mr. Vice-President, again, I am very happy that I can share my opinions and views on the Standing Orders, which I have read. It is always good that we as a House and body, conform to the laws. Truly we need to reflect what is practised, and if what is practised is wrong, we need to change it.

So I look forward to hearing, in the wrap-up, from the hon. Sen. Rambharat, as the representative on the committee, because—does he serve on the Committee? [*Looks through a document*] Yes, he does. As a serving member of the committee, as well, we look forward—because we know this is the first report, and we only get better with time, and we look forward for improvements, and we always work together to get the best document forward.

So, Mr. Vice-President, with those few words, I thank you. [*Desk thumping*]  
**The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat):** [*Desk thumping*] Thank you very much, Mr. Vice-President. Let me just first respond to my colleague, Sen. Mark, and I commend him, for once his

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Sen. The Hon. C. Rambharat (cont'd)

contribution express more pleasure than pain. [*Laughter*] I welcome that. So let me address his pain.

The first thing is, of course, there are 118 Standing Orders. The role of the committee is not to address all 118 in one sitting. The role of the committee is to address those that could be dealt with. So I take on board his suggestion that we look at other Standing Orders, 16 and Standing Order 25 and all of that, but the report before us deals with some specific Standing Orders the committee has looked at, and has made recommendations for amendment, and that is the matter before us.

As I did earlier when I said I would let the committee know that concerns have been expressed about Standing Order 13, and the matter of penalties, sanctions and assurances, I would add to that list the concerns raised by Sen. Mark. Well, on the matter of Standing Orders 16 and 25, and Urgent Questions and Definite Matter of Urgent Public Importance, let me just make the point, Mr. Vice-President. The Standing Orders provide for a series of opportunities for Senators to make interventions.

Standing Order 15, for example, provides for a Senator to raise a matter on the Adjournment. Standing Order 16, deals with a specific type of matter, Definite Matter of Urgent Public Importance. A Senator is required to meet the criteria. The Chair determines whether the criteria has been met.

Standing Order 25 deals with another category of Urgent Questions. So it is not for lack of opportunity, to raise questions that are important to the public. There is a process, there are different Standing Orders, and the time allotted for the response to the questions, or in the case of the Motion on the Adjournment, the time allotted, indicates the type of question and the depth of the response that is

required.

So no one is being locked out, and certainly Sen. Mark is not being locked out, since he has made profuse use of all the provisions of the Standing Orders, which allows him to ask questions of urgent or not so urgent matters. Then, of course, there is always the opportunity to ask a question which is neither urgent nor a matter of definite importance, but a regular question. So he is not being locked out but, of course, I would bring to the attention of the Committee the suggestion he has made.

You know, in talking about Standing Order 16 and Standing Order 25, Sen. Mark has talked about the removal of strictures. In other words, there should be no restrictions. I say in advance, Mr. Vice-President, if there were no restrictions, there is not a criteria for qualification of questions and matters for adjournment and so on, then this could easily become a free-for-all Chamber, a Chamber of busybodies.

In fact, the parallel I would find to that is in the Supreme Court, but the rules specifically deal with what you call frivolous and vexatious matters, and there are restrictions and there are provisions for dealing with it. And likewise, these Standing Orders, while allowing the opportunity to raise matters of public importance, or matters of an urgent nature, at the same time, excludes the opportunity for wastage of the Chamber's time. On that point I will quickly move to Sen. Ramkisson, because I do not want to waste the Chamber's time.

The Standing Orders must create the right balance, Mr. Vice-President, in other words, in relation to the question and answer, the creator of the question has an opportunity to frame the context of the response. If the creator of the question permits a yes or no answer, then the answer is yes or no, and it does not stop there.

If the asker is unsatisfied or needs further clarification on something that is relevant to the question and the response, then the Standing Orders provide for supplemental question. But there is no way in the creation of Standing Orders, and striking the right balance between the various Benches, we should permit the framer of a question to also dictate the form and content of the answer, that is impermissible, and the responsibility lies in the hands of the creator of a question to frame the context and the depth of the answer that will satisfy them. If the answer when given is not satisfactory, the Standing Orders provide for other recourse.

So, Mr. Vice-President, before us is the Report of the committee, I have described the amendments. I have sensed no dispute with the proposals. What we have gotten is, proposals for amendments or other Standing Orders, which form part of the 118, and the Committee in its usual diligence would look at all the proposals that have been made.

I thank you. [*Desk thumping*]

**Mr. Vice-President:** I think, hon. Senator, you have to say, you beg to move.

**Sen. The Hon. C. Rambharat:** Mr. Vice-President, I beg to move. [*Desk thumping*]

*Question put and agreed to:*

*Resolved:*

That the Senate adopt the First Report of the Senate Standing Orders Committee, First Session (2015/2016), Eleventh Parliament.

### ADJOURNMENT

**The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus):** Mr. Vice-President, I beg to move that this Senate do

now adjourn to Thursday, July 07<sup>th</sup> at 1.30 p.m.

**Mr. Vice-President:** Hon. Senators, before I put the question on the Adjournment, leave has been granted for a matter to be raised on the Motion of the Adjournment of the Senate. Sen. Mark.

**Sustainable Development Goals  
(Failure to Table Cabinet Decision)**

**Sen. Wade Mark:** “I think I just following your advice.” Thank you very much, Mr. Vice-President. First of all let me say from the outset, that the hon. Leader of the House is not here. I understand he is recovering. I wish him a speedy recovery. All of us on this side would like to wish him a speedy recovery. [*Desk thumping*]

This particular matter was directed at the Leader of Government Business, but seeing that we have a temporary Leader, I hope that the hon. Member, the hon. Minister and Senator would be in a position to respond. The matter is as follows: the failure of the Government, through the Leader of Government Business in the Senate, to table a report on the Cabinet’s decision in response to the resolution unanimously approved by the Senate, on the Sustainable Development Goals, pursuant to Standing Order 41(2) of the Senate Standing Orders.

Now, Mr. Vice-President, I do not know what is happening in the Cabinet. What I can tell you is that a Motion was unanimously approved by this honourable Senate. Every Member present, 27 of them, of us, voted in favour, as you recall, on the Sustainable Development Goals, that was on February 23, 2016.

Let me quote the relevant Standing Order that governs this operation. It is Standing Order 41(2). It says:

“A Report...”

—first of all:

“(1) Every Private Member’s motion approved by the Senate which

requires action on national policy issues shall be submitted by the Clerk of the Senate to the Cabinet for consideration within one (1) week of the date of approval by the Senate”

(2) states:

“A report on the Cabinet’s decision in response to the submission made pursuant to paragraph (1) shall be tabled by the Leader of Government Business in the Senate not later than thirty (30) days from the date of its submission to the Cabinet.”

—30 days. Mr. Vice-President, I am advised that the Clerk did her part. She submitted a letter. I do not have a copy, because I do not have access to it, dated March 18<sup>th</sup>, I understand, 2016. Remember, this was approved on February 23<sup>rd</sup>. It was supposed to be sent a week later. So there was a little space here, but in any event, it went on March 18<sup>th</sup>, 2016. March 18<sup>th</sup> to April 18<sup>th</sup> is one month.

**Sen. Baptiste-Primus:** Sorry, Mr. Vice-President, may I ask to whom was this—  
[*Interruption*]

**Sen. W. Mark:** The Secretary to the Cabinet; the Cabinet Secretary. I understand it was written to the Secretary, to Cabinet.

So March 30<sup>th</sup> or March 18<sup>th</sup> to April 18<sup>th</sup> is a month; April 18<sup>th</sup> to May 18<sup>th</sup> is another month; May 18<sup>th</sup> or May 19<sup>th</sup> to June 19<sup>th</sup> is another month; and from that time to now, we are talking to about, close to about, what? Let us say about two weeks, 15 days.

**5.30 p.m.**

So, Mr. Vice-President, three months and 13 days, the Government which had the responsibility of responding to the Leader of Government Business and having the report tabled not later than 30 days from the date of its submission—so, do you know when that was supposed to be here? No later than April the 18<sup>th</sup>.

What is the Cabinet doing? Is the Cabinet sleeping? Is it in deep slumber? [*Desk thumping*] I am sorry. I am upset. Do you know why I am upset? Because everyone approved. This was a unanimous agreement. Sorry, my dear Leader of the House.

**Sen. Baptiste-Primus:** Oh, I am your leader? I feel so proud.

**Sen. W. Mark:** No, Leader of Government Business Acting, but one of these good days, I would be your leader. [*Laughter*] So, Mr. Vice-President, could you imagine, since the 18<sup>th</sup> of April. Mr. Vice-President, this is a contempt for the Senate. [*Desk thumping*] It is a contempt and disrespect for this institution where the Standing Orders make it very clear what has to take place.

And, Mr. Vice-President, what is this thing about? This is the 17 Sustainable Development Goals that Trinidad and Tobago signed off on, on the 25<sup>th</sup> of September, 2015. A Motion was brought, everybody spoke in glowing terms about dealing with these 17 Sustainable Development Goals. One of the resolutions said that the Government would table a report on the implementation of the national strategy for the Sustainable Development Goals for a thorough review by the Parliament. That is one of the resolutions that we approved unanimously.

I am very, very embarrassed that a Government that is supposed to be doing its work on behalf of the people gets a resolution, gets a letter with the accompanying resolution and, today, Mr. Vice-President, almost 104 days later, the Government has not honoured its commitment to table, Mr. Vice-President, in accordance with the Standing Order 41(2), a report in response to our submission.

**Mr. Vice-President:** Senator, you have two more minutes.

**Sen. W. Mark:** Yes, thank you very much, Mr. Vice-President. Thank you very much. Mr. Vice-President, the Cabinet was supposed to respond and have the Leader of Government Business table in our Senate, no later than 30 days, a report

on its decision. Is the Cabinet in agreement with the resolution? Is the Cabinet not in agreement with the resolution? Whatever decision the Cabinet decides to take, that is the Cabinet's business, but at least show us the respect and do not treat us with contempt, disrespect and contumely.

So, Mr. Vice-President, may I in closing call on the Leader of Government Business Acting to bring this honourable Senate up to speed on what is the status of this report that was supposed to be submitted to this honourable Senate 104 days ago. I thank you, Mr. Vice-President. [*Desk thumping*]

**The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus):** Mr. Vice-President, I would want to convey to this honourable Senate and, in particular, my senatorial colleague, although he sounds very upset, that it is not this Government's intention to disrespect you or this Senate nor to create any sense of contempt.

The matter, of course, on the 17 Sustainable Development Goals is a rather important one—a very important one discussed and debate at this level and in the other place, and there is general agreement consensus that was reflected by the way persons voted. This Government, however, the matter concerning the Cabinet decision, Mr. Vice-President, it has not yet gone before the Cabinet. This matter concerns the formulation of national policy, Mr. Vice-President. It also focuses on the development of a national strategy. Whilst I understand the impatience of my friend, development of national policy and development of a national strategy require the meeting of the minds. Notwithstanding that, Mr. Vice-President, I know it has taken some time, but the matter will be placed before the Cabinet, because those of us who were involved in the debate, there is agreement. It is an open door. It is an open door, and it will be placed before the Cabinet.

I give the assurance, Sen. Ameen and Sen. Shrikissoon, I give the assurance

that by the time this honourable Senate meets in the new—[*Crosstalk*]—well, we will have the sufficiency of time to take the matter to Cabinet, so that when we come back after we are all well rested and the little impatience will be rested too, I give the assurance it will be, seriously—it is a matter we understand the importance of it, and there are real good reasons for a report not being here and the matter not yet being reported. The strategy is being finalized and it will be taken to Cabinet.

I urge my senatorial colleagues and the others on the other side to exercise a little patience with the Government, we will get it done. I am sure, not in this week, but when we resume in September, I will see a smile on your face, Sen. Mark, instead of impatience and anger at this Government. Thank you, Mr. Vice-President.

**Greetings  
(Eid ul-Fitr)**

**Mr. Vice-President:** Hon. Senators, before I put the question, I now invite Senators to bring greetings for the Eid ul-Fitr celebrations on Wednesday, tomorrow. Hon. Leader of Government Business.

**The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus):** Mr. Vice-President, my fellow Senate colleagues, Ramadan is a most holy time of the year for our Muslims brothers and sisters who reflect on the teachings of Islam. The emphasis though is not placed only on abstinence from food, but also from evil actions, evil thoughts and evil words. Those who fast can attest to the spiritual and physiological gains, but the question may be asked: How can these gains transcend to the good of our nation?

Mr. Vice-President, one would respond by saying, it is not a call to us for all of us to be meek in spirit and mind, but to be humble and to put others before

ourselves, to reach for greater good, to be a better person, to be a better people. This is what we are called to be. This is the lesson for us all in this noble Senate and to our fellow man as we join our brothers and sisters who celebrate Eid ul-Fitr tomorrow.

We are on the cusp of the end of this holy month, but it is not too late for us to veer away from evil actions, thoughts and words and strive for positivity. The beauty of this festival, Mr. Vice-President, is not only it is solemn, but it is a joy. The beauty of this festival, Eid ul-Fitr, is a time to give thanks for blessings for the victory of good over evil. It is a time for forgiveness and for celebration for completing another successful Ramadan.

As Trinidadians and Tobagonians, we all have much to be grateful for. One thing, Mr. Vice-President, is that we live in peaceful coexistence. We are generally at peace as a people. We may have our personal differences, our political differences, but we coexist peacefully in Trinidad and Tobago.

Mr. Vice-President, there are other places in the world where they are in a perpetual state of war, killing thousands of innocent persons. There are Muslims, for example, in Baghdad who are grieving the loss of loved ones on this Eid in the deadliest attack in years. And whilst we here in Trinidad and Tobago, we live in the comfortable coexistence of every creed and race finding an equal space, there are people in this world who are persecuted daily.

Mr. Vice-President, on behalf of the Government of the Republic of Trinidad and Tobago, we wish to convey Eid Mubarak to all our Muslims brothers and sisters. As we all celebrate the true meaning of brotherhood and sisterhood, not only tomorrow, but throughout the entire year, may Allah's blessings be with all of us today, tomorrow and always as we strive to continue on our religious journey. Thank you, Mr. Vice-President. [*Desk thumping*]

**Sen. Khadijah Ameen:** Thank you very much, Mr. Vice-President. I want to thank you for the opportunity to bring greetings at this time. Tomorrow the Muslim community of Trinidad and Tobago and fellow citizens observe the holy celebration of Eid ul-Fitr. It marks the end of a month of fasting, reflection and prayer and brings with it a renewed sense of hope and a resolve to stand steadfast in our faith in God regardless of our religious background.

Mr. Vice-President, in the face of hardship and adversity, people need hope. Challenges and setbacks are part of life. People need strength and resolve and in the face of despair, darkness and sadness people need faith: faith in God, faith in ourselves and faith in each other and faith in the future.

We live in a multicultural society where it goes beyond tolerance for religious differences. We share in each other's culture, religion and practice to the extent where many non-Muslim citizens look forward to the celebration of Eid as if it were their own religion, if only for the food and the sawine. But, Mr. Vice-President, whatever our religious beliefs, we all share the common understanding that within God is the bedrock of our every achievement and success. And as the Muslim community takes the frontline today, let us take these reminders of the values and the virtues of sacrifice and faith.

We share our prayers with them, we stand with them in celebration as they celebrate Eid ul-Fitr, our Muslim brothers and sisters in Trinidad and Tobago stand as beacons showing us that whatever we must sacrifice, wherever we must rely on our faith and renew our humanity, the day of celebration will always come.

**5.45 p.m.**

So, at the end of Ramadan and the celebration of Eid ul-Fitr, we feel a sense of rejuvenation, of hope, and resolve to submit ourselves to the will of Allah. We are indebted to our Muslim sisters and brothers for undertaking this holy period of

sacrifice for all of us, for their devotion to family, community and country. The discipline and devotion to the Almighty is a lesson and an inspiration for every one of us. As we join hands with the Muslim community, I pray that they will continue to enrich us with their experiences, their teachings, their principles, and their faith. Their dedication will serve to benefit an entire nation, and it is our responsibility to mirror the core values of Ramadan and Eid as we work together for the improvement of Trinidad and Tobago.

Mr. Vice-President, we in the United National Congress, and the parliamentary Opposition, stand in unity with our Muslim brothers and sisters and salute their community's faith and sacrifice for the good of a nation we all love. Eid Mubarak to the Muslim community and to the people of Trinidad and Tobago. I thank you. [*Desk thumping*]

**Mr. Vice-President:** Sen. Raffoul. [*Desk thumping*]

**Sen. Jennifer Raffoul:** Thank you. I bring you greetings on behalf of Sen. Chote who had to leave early to see about an urgent matter, so this is on behalf of Sophia Chote, and the other Independents. Islam was first brought to these shores by some of the African slaves trafficked here by colonial powers. Our Muslim community is a small one but protected equally with other religions by the Constitution of the Republic of Trinidad and Tobago. May we as a country continue to protect religions as we have done in the past.

The month of Ramadan is drawing to a close and many Muslims have purified their bodies and souls by fasting, abstinence, and prayer. It is said that it is during this holy month that the words of the Holy Qur'an were received by the Prophet Muhammad, Peace be onto him. It is said that these words were sent by an angelic messenger. After this time of fasting it is believed that you are better placed to seek forgiveness for your sins. This is such a holy time within the

Islamic calendar that it is believed that a Muslim who dies in the month of Ramadan finds the gates of paradise open and the gates of hell shut.

As we bring greetings to the Muslim community we must mention the most famous Muslim in the Western World. This great Muslim man taught us, through the example of his life, to be true to your principles. He taught us that hatred of persons because of their race or religion is un-Islamic, violence for the sake of violence was un-Islamic. This Muslim man who we knew as a sportsman, Muhammad Ali, was a man of honour and an example to all persons, whether Muslim or not.

As Muslims celebrate Eid tomorrow with prayers, fasting, and charitable acts, our national community celebrates with them and wish Eid Mubarak to all those celebrating this occasion tomorrow. Thank you. [*Desk thumping*]

**Mr. Vice-President:** Hon. Senators, I join you in bringing greetings to the Muslim community on the occasion of Eid ul-Fitr. Celebrated at the end of the month of Ramadan, which is a period of fasting that catalyses personal growth through the observance of self-discipline, devotion and prayers, the celebration beginning tomorrow marks the period of joy that emanates as a result of the triumph, the forces of good over evil, thanks that are given for the blessings received from Allah, and the forgiving of neighbours for all grudges and ill feelings.

It is a time for spreading peace, sharing with others, and giving thanks. It is a time that we as a people can celebrate together, whether Muslim or not, towards the peace and harmony of our nation. I have said before, and I take this opportunity to reiterate, that on this earth wherever every creed and race can find an equal place so too can every religion find equal expression and you bequest a celebration. As such, it brings me great joy to be able to say to our Muslim

Greetings (Eid ul-Fitr)  
Mr. Vice-President (cont'd)

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brothers and sisters, have a joyous and happy celebration of Eid. [*Desk thumping*]

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 5.50 p.m.*