

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1951—54

HOUSE OF ASSEMBLY

Tuesday, 20th January, 1953.

Pursuant to adjournment, the House of Assembly met at 3 o'clock p.m. today.

Present

His Honour Mr. K. N. R. HUSBANDS (*Speaker*), Dr. H. G. H. CUMMINS, M.D., C.M., His Honour Mr. A. E. S. LEWIS (*Deputy Speaker*), Messrs. M. E. COX, L. E. SMITH (*Chairman of Committees*), F. L. WALCOTT, F. E. MILLER, J. C. MOTTLEY, E. St. A. HOLDER, C. E. TALMA and Mrs. E. E. BOURNE.

Prayers were read.

Mr. HAYNES entered the House and took his seat.

MINUTES

The Minutes of the meeting which was held on the 16th December, 1952, having been circulated, were taken as read and confirmed.

DOCUMENT

Mr. SPEAKER: I have the honour to inform the House that I have received the following Document.

Financial Report of the Accountant General for the month ending 31st December, 1952.

PAPERS LAID

Dr. CUMMINS: Mr. Speaker,—On behalf of the honourable senior member for St. Joseph, I beg to lay the following Papers:—

The Civil Establishment (Part-time Officers) (Amendment) Order, 1953.

The Civil Establishment (General) (Amendment) Order, 1953.

Mr. F. L. WALCOTT: I beg to lay the following:—

Post Office Advances for payment of Money Orders to 30th November, 1952.

GOVERNMENT NOTICES

Government Notices were given as follows:—

Dr. CUMMINS for Mr. ADAMS: Resolution that the sum of \$87,120 be advanced from the Public

Treasury (to be subsequently refunded from Funds) and placed at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1952-53, Part II Capital, as shown in the Supplementary Estimates, 1952-53, No. 33, which form the Schedule to this Resolution.

Dr. CUMMINS for Mr. ADAMS: Resolution to place the sum of \$194,158 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1952-53, Part II, Capital, as shown in the Supplementary Estimates, 1952-53, No. 34, which form the Schedule to this Resolution.

Dr. CUMMINS for Mr. ADAMS: Resolution to place the sum of \$1,500 at the disposal of the Governor-in-Executive Committee to supplement the Estimates, 1952-53, Part I, Current, as shown in the Supplementary Estimates, 1952-53, No. 35, which form the Schedule to this Resolution.

Dr. CUMMINS for Mr. ADAMS: Resolution to approve the Civil Establishment (Part-time Officers) (Amendment) Order, 1953.

Dr. CUMMINS for Mr. ADAMS: Resolution to approve the Civil Establishment (General) (Amendment) Order, 1953.

Dr. CUMMINS for Mr. ADAMS: Bill intituled an Act to amend the Barbados Turf Club (Imposition of Duty) Act, 1941.

Dr. CUMMINS for Mr. ADAMS: Bill intituled an Act to amend the General Local Loan Act, 1933.

Dr. CUMMINS: Of my intention to ask for leave to deal with this Bill in all its stages today. Some weeks ago we passed a Loan Bill and it is proposed to advertise as soon as possible in connection with the loan. This Bill has the denomination in sterling but we are now dealing in dollars; it is just a simple matter of changing the sterling into dollars.

Messrs. MAPP and ADAMS entered the House and took their seats.

Dr. CUMMINS: Of my intention to move the House into Committee of Supply at its next meeting to consider the money Resolutions of which I just gave notice.

PRIVATE MEMBER'S NOTICE

Mr. LEWIS: Of my intention to move the adjournment of the House in order to deal with the Report on the Barbados Women Hospital Domestic Workers in the United Kingdom.

Mr. E. D. MOTTLEY entered the House and took his seat.

BILLS READ A FIRST TIME

On motions of Dr. CUMMINS, seconded by Mr. Cox in each case, the following Bills were read a first time:—

Bill intituled an Act to amend the Barbados Turf Club (Imposition of Duty) Act, 1941.

Bill intituled an Act to amend the General Local Loan Act, 1933.

SUSPENSION OF RULES 88 AND 89

Dr. CUMMINS: Mr. Speaker,—I beg to move that Rules 88 and 89 be now suspended in order to deal with the General Local Loan (Amendment) Bill.

Mr. Cox seconded the motion which was agreed to.

GENERAL LOCAL LOAN (AMENDMENT) BILL

Dr. CUMMINS: I beg to move that the Bill to amend the General Local Loan Act, 1933, be made the first Order of the Day.

Mr. Cox seconded the motion which was agreed to.

Mr. SPEAKER: The first Order of the Day stands in the name of the honourable junior member for St. Thomas:— To move the second reading of a Bill to amend the General Local Loan Act, 1933.

Dr. CUMMINS: The object of this Bill is to change the denomination in the General Local Loan Act from sterling into dollars. Under the Principal Act the debentures are issued in sterling—£10, £20 and so on, and this Bill seeks to change them to dollars, inasmuch as our currency is now in dollars instead of sterling. I beg to move that this Bill be now read a second time.

Mr. COX: I beg to second that.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

On the motion of Dr. CUMMINS, seconded by Mr. Cox, Mr. SPEAKER left the Chair, and the House went into Committee on the Bill, Mr. SMITH being in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

Dr. CUMMINS: I beg to move that Clause 2 stand part of the Bill.

Mr. COX: I beg to second that.

Mr. LEWIS: We are now amending the General Local Loan Act, 1933, so that debentures might be issued in dollars, whereas debentures might have been already issued under the Act in sterling. I do not know whether it would make any difference, but it strikes me that in the Bill which was passed two weeks ago we could have put that the debentures on that loan could be issued in dollars.

The question that Clause 2 stand part of the Bill was put and resolved in the affirmative without division.

On the motion of Dr. CUMMINS seconded by Mr. Cox, the CHAIRMAN reported the passing of the Bill in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

On motions of Dr. CUMMINS, seconded by Mr. Cox in each case the Bill was read a third time and passed.

RESOLUTION TO APPROVE THE MOTOR VEHICLES AND ROAD TRAFFIC REGULATIONS, 1952

Mr. COX: Mr. Speaker,—I ask leave to take Order No. 5 as the next Order of the Day.

There being no objection, leave was granted the honourable member.

Mr. SPEAKER: The next Order of the Day is to resume debate on the passing of the following Resolution:— Resolution to approve the Regulations entitled "The Motor Vehicles and Road Traffic Regulations, 1952."

Mr. COX: I am asking for permission to speak at this stage, which will not prevent the honourable senior member for the City from speaking. I would like to explain a few points which were raised on the last occasion when this Resolution to approve these Regulations was under discussion. If I am permitted to make the explanation it will prevent a lot of discussion on taking place.

There being no objection, the honourable member was granted leave.

Mr. COX: On the last occasion when these Regulations were before the House the honourable senior member for the City and the honourable senior member for St. George expressed fear of section 6 of Regulation 14 which reads as follow:—

"No private motor vehicle shall be converted from its original construction unless it complies with the specifications approved by the Director of Highways and Transport and such vehicle shall not be used on the road unless it has first been inspected and approved by the Director of Highways and Transport."

Honourable members went so far as to suggest that that was a subtle way of bringing back before the House Regulations which were rejected by the House some time ago in respect of lorries being converted into buses and "pick-ups" on special occasions. When those Regulations were before the House they were rejected and I want to assure honourable members that these Regulations now before us have **absolutely nothing** to do with **controlling those** vehicles. This particular Regulation deals specifically with a private vehicle which is not bound to undergo **any inspection or examination**. Since the discussion on these Regulations I have spoken with the Acting Director of Highways and Transport and the Chief Inspector at the Department and I was given the instance of a person who has a "pick-up" which has not been inspected and it is used for private use. The Transport Department had no authority to inspect that vehicle so long as it was kept for private use. Vehicles like "pick-ups" have to comply with this Regulation where they are licensed as goods vehicles; With that explanation I think honourable members will be satisfied and they will rest assure that this Regulation has absolutely nothing to do with controlling the activities of these vehicles, although I will say at this stage that there should be made some Regulations governing the number of passengers which these vehicles should carry. I am sure that everybody will agree with that. On the last occasion when such Regulations were before the House they would have been passed if honourable members had any confidence in the Director of Highways and Transport; honourable members felt that the permits would not be issued to the owners of these vehicles and they rejected the Regulations.

I want to assure the House that this particular Regulation has nothing to do with omnibuses; you have the taxi, the omnibus and the goods vehicle such as the lorry and the "pick-up," but this Regulation does not apply to any of them. This Regulation refers

to a private vehicle in connection with which you have to satisfy the Department of Highways and Transport that you have complied with the specification which says that the overhang must not be more than three-elevenths of the length of the vehicle.

There is another Regulation to which reference was made on the last occasion—Regulation 10 which says:—

“If a person to whom any licence or badge has been granted by the Commissioner of Police satisfies him that the licence or badge has been lost or defaced the Commissioner of Police shall, on payment of a fee of twenty-four cents in the case of a licence or sixty cents in the case of a badge issue to him a duplicate of such licence or badge as the case may be.

As that Regulation stands, one would be inclined to ask: “How is it that you charge 30 cents for the original and you are prepared to charge 60 cents for a duplicate?” According to the Regulations bus drivers and conductors must at all times wear their badges on the front of their caps and I have been told that on some occasions these bus drivers and conductors are found without their badges and as a means of avoiding a conviction they claim that the badges have been lost when that is not the case. The charge of 60 cents has been put for a duplicate of a badge so as to serve as a deterrent against such a practice.

I am appealing to the House to pass these Regulations as they are to-day; I want to give the assurance that if honourable members disagree with any of these Regulations the particular Regulation will not be put into operation. As long as the Departments are told not to prosecute anybody under any Regulation which has not been agreed to by this House, I am prepared to assure honourable members that the Departments responsible will not take any action against any person who might commit a breach of the particular Regulation. As soon as we meet again after the Legislature is prorogued, the appropriate amendments will be brought before the House.

Relative to the point made by the honourable senior member for St. George, I would like to say that I have always had the greatest regard and respect for him, and it was surprising and disappointing to me to find that the honourable member, instead of reading the Regulations and assisting in knocking them into shape, made a motion for the rejection of the Regulations lock, stock and barrel. I do not think that that is the attitude which should be taken by a responsible person to whom the public for guidance. I am hoping that when the honourable member disagrees with anything which is put before the House, he will consider it and discuss it with the person who is in charge of it. When action such as that taken by the honourable senior member for St. George is taken, it might lead to the fall of the Government, and if the Government falls, the people will fall with it. If one has the interest of the community at heart and is sincerely interested in furthering the cause of the masses in this island who have suffered for many years, he must take a more serious view of matters which are placed before the Legislature before coming to the conclusion that they should be thrown out lock, stock and barrel. I am sorry that I have had to speak in the honourable member's absence; I appeal to the House to pass these Regulations as they are and leave it to the Government to make the necessary amendments at the proper time.

Messrs. WILLIAMS and GODDARD entered the House and took their seats while Mr. Cox was speaking.

Mr. E. D. MOTTLEY: I have listened very carefully to the honourable member in charge of this

Resolution and I must thank him for the explanation he has given. On the last occasion I was very strong in my expressions in respect of these Regulations and I showed my willingness, or that of the Opposition, to compromise because I thought that there were several of these new Regulations which are overdue and necessary; but I am at the great disadvantage of accepting what is commonly called Hobson's choice. You either vote for these Regulations or you do not vote for them. On the last occasion I said that when I first came to this Chamber we were dealing with Regulations and there was a very hot debate taking place and it was pointed out to me that you either had to accept the Regulations or throw them out. The feeling of the House was that you could argue against certain Regulations, but we had an assurance that steps would be taken to give honourable members of this Chamber the opportunity of amending Regulations in the future. I do not accuse the Government of wilfully refusing to amend the Act, but it is unfortunate that that amendment has not been introduced into this Chamber. “I said on the last occasion that it seemed to me that there were two methods of approaching this matter, and it was pointed out by the honourable junior member for St. James that these Regulations, although not passed by this Chamber, came into force since the 18th December last; however, in dealing with these Regulations we either have to approve of them or disapprove of them; we cannot amend them. I do not know what happens in other countries, but it strikes me that when any official makes Regulations those Regulations should not go to the Head of the Administration before we are given an opportunity to say what we agree or disagree with. (Mr. ADAMS: You passed the law as it is now). If I had been here you would have heard my voice; if I were not here I cannot account for that. Anyway, I am dealing with these Regulations to-day.

As far as I am concerned, there are some Regulations which are necessary and they must be put into operation. The honourable senior member for St. Michael wants to assure honourable members that if there are any of these Regulations with which honourable members do not agree, from an administrative point of view they will not be put into operation. But imagine these Regulations being passed and the Commissioner of Police not putting them into operation! Six, seven, eight or nine of us might express our views against certain Regulations, and, says the honourable member, if you express these views we will give instructions not to put these Regulations into operation! That is said in good faith but how much do we expect from it? Imagine the Commissioner of Police prosecuting people and the Police Magistrate not convicting them! (Mr. COX: The cases would not reach the Magistrate.) If that can be done, the Government should not be run in that way; I am only suggesting to honourable members whatever might be their loyalty, that it is a rank impossibility to expect anything like that. The honourable member cannot convince any other honourable member that if he votes for the passing of these Regulations, they will not be put into operation. The honourable member has heard many suggestions and many things with which honourable members do not agree and although he is saying that these Regulations will not be carried out, the obvious thing for him to do is to use his position to-day and say; “These are the things with which honourable members disagree” and withdraw them once and for all. What I am saying is this; if the honourable member says that if we express disagreement with certain Regulations they will not be put into operation, why does he not in his capacity as Minister in charge of matters relating to this Department, suggest to the

Government that things which are not agreed with are not to be put into operation? Why can't the honourable member say: "These views were expressed and I suggest to you that these Regulations be withdrawn?" On the last occasion when it was said that the Regulations were drafted without the knowledge of the honourable senior member for St. Michael—

Mr. COX: On a point of order. Before the Regulations came down to this House I read them through and wrote a minute on them; but I said I got my copy of the Regulations as they were circulated to honourable members. I did not make the statement which the honourable member has just made.

Mr. E. D. MOTTLEY: I am sure the honourable member said that. As a result of that the honourable junior member for St. Peter said he wanted to assure honourable members that the Ministers in charge of affairs relating to Departments are usually consulted about these matters, but at the beginning of the year the portfolios were changed.

Mr. COX: That was as a result of the statement made by the honourable senior member for St. Philip.

Mr. E. D. MOTTLEY: I still contend that the honourable member said he knew nothing about these Regulations. I hope it is understood by honourable members that the honourable member had his copy of the Regulations long before us and made a note on them. Last week when we said that we had just got our copies of these Regulations and made an appeal for time to consider them and also suggested that it would have been very courteous to have given us the old Regulations, the honourable junior member for St. Peter said that they were going before a Select Committee; we suggested that it would be easy just to set out the amendments with which we would be expected to deal. The honourable senior member for St. Michael had these Regulations before we had them and we are expected to stand here and listen to the amendments as read out by the honourable member who has even written a minute on them; we either have to do that or we must go through all the volumes and see exactly what the amendments are. If those who are responsible for running the Government feel that a democratic set-up is to be run in such a way as to avoid the Opposition from offering its criticism, that is a matter for them. The honourable member has assured us that the Regulations will not inflict any hardship on people and he has said that the reason why honourable members refused to pass previous Regulations is because they did not have any confidence in the then Director of Highways and Transport: but is he suggesting that we will pass these Regulations because we have this Acting Director? I did not agree to pass those Regulations because I felt that they would have inflicted a hardship on people who could not bear it, not because of any lack of confidence in any Director. I do not know for other honourable members but I did not express any such view: to express such a view would be tantamount to saying that I will pass these Regulations because I have confidence in somebody who has not yet been appointed as Director.

I have taken time off to read these Regulations and I do not want to throw them "through the window" and embarrass the Government. I thought that to-day the Government would either have come down with an amendment to the law giving us the right to amend Regulations, or, while we appreciate what the honourable junior member for St. Peter has said, bring forward only the actual amendments to the Regulations; if these Regulations are turned down, the existing Regulations will stand. When we adjourned last week after much debate on these

Regulations, the honourable Leader of the House was absent, but the honourable Deputy Leader accepted the view that we could not amend these Regulations at all, that these Regulations were in operation since the 18th December and the only thing we could do would be to reject them *en bloc* because everybody expressed the view that some of the Regulations are necessary while others are not. You cannot to-day raise a finger; as long as honourable members are prepared to vote for these Regulations, they will go through, and it is our duty to show why they should not be passed *en bloc*.

I am wondering whether the Government is still prepared to see to it that the law is amended—the honourable senior member for St. Joseph promised us that the law would be amended giving us the right to amend Regulations. That was made as a solemn promise. I have never shown any desire to throw out Regulations or anything else without reasoning them out, but we are in this position to-day; we either have to accept all of these Regulations or none of them. Even at this late hour no hardship can be created at all—unless a period of 40 days has expired—to introduce an amendment to the law giving us power to amend these Regulations. These Regulations having been consolidated, we can only accept or reject them and I am wondering if it would not have been wiser for the Government to bring down the amendments with which we agree and I think all concerned would be better served. I am not accepting the promise made by the honourable senior member for St. Michael and I urge every honourable member to think of it carefully. You know the constitution of this colony; you know the procedure and you are bound to be suspicious of any promise that is made to the effect that if you express views against these Regulations, those views will be taken up and the Regulations will not be enforced. I am asking every honourable member to see that whatever faith we have in the word of members of the Executive Committee we would be doing wrong to accept that promise; I cannot see the Head of the Administration issuing those instructions after the Regulations have been passed.

A week ago I moved the postponement of the consideration of the Resolution to approve these Regulations and I am surprised that the Government has done nothing in this matter—absolutely nothing. We have 40 days in which we can deal with a matter of this sort and when that period has elapsed these Regulations will remain law. I am surprised to find that after the very strong views expressed last week, not only by the official Opposition but also by the Government's back-benchers, the Government has come back to the House with these Regulations. I should not like to go into detail and argue on the various sections of these Regulations which would create a hardship on people because that would be wasting the time of this Chamber: I can see that every honourable member is very much interested in these Regulations; I was wondering whether we could go into Committee on them so that honourable members will have the opportunity of speaking more than once, but to go into Committee and go into details and make speeches on these Regulations will only mean a waste of time, because when we have finished it will still be a question of voting for or against the Regulations. I am putting every alternative, but we are now in the position where we must either pass these Regulations or reject them. I know that the honourable Leader of the House cannot say he has not solemnly promised this House on an occasion when honourable members were in opposition to certain Regulations and he persuaded them to vote for the Regulations, that

in the not very distant future he would bring forward a Bill amending the law so as to give us the right to amend Regulations. Deep down in their hearts the members of the Government well know that if they are making 20 amendments to Regulations they should let us, the people's representatives have the right to say whether this or that should be the law. I am told that I passed the law giving the right to the Heads of Departments to make Regulations but I am saying that in 20 Regulations you might have one bad one which might create such a hardship on people as to make you regret having passed the other 19. I hear an honourable member ask *sotto voce*; what about the bad ones? Well, that honourable member knows the bad ones because he said he would see to it that certain Regulations would not be put into force.

Sometimes the Ministers hear more in the lobby than they hear around this table because in the lobby they speak with members representing their particular constituencies: but on the floor of this House the Ministers have to say: "I am commanded to do so and so"; however in their consciences they know that while "A", "B" and "C", might be all right, "D" and "E" will effect a great hardship on people. Whatever status honourable members may have, let them not be fooled. I counsel honourable members that if they pass these Regulations today, whatever they have underlined, let them not be fooled that these Regulations will not be put into effect. The honourable senior member for St. Michael has given an assurance that certain Regulations will not be put into effect, but these Regulations were put into effect since the 18th December. It all shows that it is within the knowledge of members of the Government that there are Regulations which must meet with the disapproval of members of this House. The honourable senior member for St. Michael had an opportunity of writing a minute on these Regulations and it must be obvious to hon. members that he could not have gone through these Regulations and agreed with everything in them; knowing the criticism of the Head of the Department and of the working of the Department, the honourable member's minute could hardly have been: "I heartily agree with these Regulations." The honourable member has offered great criticism of Regulations made under the Act by virtue of his vocation; he has been one of the greatest critics of the existing Regulations. What a pity it is that the Government should not have realised that in matters of this sort, not only the back-benchers but the Opposition should be given the opportunity should be given the opportunity to go through these Regulations!

If we go into Committee on the Resolution to approve these Regulations, there is a better chance of our discussing the Regulations; although I know we have no chance of amending any of these Regulations, there is still a chance of our throwing them out, and we would not be creating any precedent if we went into Committee on these Regulations. The reason why I am moving that we go into Committee on these Regulations is that there are hon. members who would like to express their views, but I would make a motion for throwing out these Regulations if I stood alone in it. I am told that these are not the Regulations which have to be laid for 40 days before being effective and that they came into effect from the day they were introduced whether we approve of them or not. That being so, my motion for going into Committee is to show that I want to be co-operative and that every opportunity should be given the Government to postpone the consideration of this Resolution and bring down an amendment to the Act giving us the right to make amendments to these Regulations.

I think that we should go into Committee on this Resolution and I therefore beg to make that motion.

Messrs. ALLDER, BRANCKER and BRYAN entered the House and took their seats while Mr. MOTTLEY was speaking.

Mr. SMITH: I beg to second the motion of the honourable senior member for the City. It seems to me that we are discussing something which is already the law, because only yesterday a particular motor lorry was turned down by the Department of Highways and Transport on account of the fact that a windscreen wiper had not been installed. That lorry will not be registered and there is the question of how many people are working on it. That is something which has originated from these particular Regulations. To ask somebody to install a windscreen wiper on the hood of an old motor lorry is something—

Mr. COX: On a point of order. These Regulations do not say that at all; the honourable member has not read these Regulations. The appropriate Regulation is Regulation 14 (13) which says:

"Where a motor vehicle is fitted with a front-glass windscreen for the driver, an efficient automatic windscreen wiper shall be fitted, unless such front-glass windscreen is capable of being opened, if necessary, so as to give the driver a clear view of the road ahead."

The Regulation says that as long as the windscreen of the motor vehicle can be opened there is no necessity for an automatic windscreen wiper to be fitted to the motor vehicle. If what the honourable member says is correct, some mistake has been made.

If we are going to pass such Regulations that an individual will have to apply to the Minister in charge and he will have to run to the Director to get cases straightened out, what use are we here? The honourable senior member for St. Michael says the case to which I am referring was drawn to his attention, and he went to the Director about it this morning. But will everyone know that he is the Minister in charge or that they will run to him everytime that they are turned down by the Director? This lorry was turned down yesterday because it did not carry a windscreen wiper. Must we sit here and pass mistakes? It was also turned down for the number of people working on it to be registered. That lorry could not go out to work this morning. These Regulations should not become law until we pass them.

Mr. SPEAKER: I am afraid they are the law.

Mr. SMITH: This is one of the things that I will not get pushed down my throat. I know the hardships that will be created for the poor people who are lorry owners. Anyone who sat here and heard the honourable senior member for St. Michael going through these Regulations last Tuesday would have voted for them right away. This lorry was turned down and the honourable member had to run to the Director this morning and get the decision changed. I believe that he will have to run to the Director every morning. We cannot pass things of this sort.

I am in favour of the increases in fees that are being charged. I will say yes to that if it causes me to lose my life. But I do not agree with putting all this power in the hands of the Director of Highways and Transport and the Commissioner of Police. Take Clause II of Part 2. It says:—"The Commissioner may cancel or suspend the license of any conductor on any conviction for any contravention of the Act or of these Regulations." It seems to me that the Commissioner of Police and the Director are becoming Police Magistrates. Why should power be given to the Commissioner of

Police to cancel these licenses or badges? I think that is a matter for the Law Courts. We have got to be careful about putting power like this in these people's hands today. I am not going to say "aye" to anything like this. Some people use power only because they can use it. I know that there will be people coming to me and to other members appealing to us to get back their licenses which have been cancelled. I prefer to see that matter dealt with by Police Magistrates although they go wrong sometimes. The honourable senior member for St. Michael will soon have to be going to the Commissioner to beg him for a chance for some conductor. The Commissioner will be looked upon as a king.

To get back to the case of the lorry: If you register the four or five people who are working on a lorry, what about the labourers whom you will be carrying on the lorry to reap the crop? If those people will be accepted, and if I can carry as many as I like on a lorry, why should I have to register any at all? I have heard that you can only reject or pass these Regulations. My view is that we should reject them until we get them put right. I will not vote for these Regulations until everything in them is straightened out. I live in the country. I know that the poor lorry owners will have to comply with things with which they cannot afford to comply, and they will be automatically pushed off the road. Another thing with which I cannot agree is the Regulation which tells you that if you lose your badge or license, or if it is cancelled you have to pay double to get it back. Then there is sub-clause (7) of Clause 14 which says:—"No private motor vehicle, unless it shall be converted for the specific purpose of carrying goods and licensed as a goods vehicle shall be used as a goods vehicle without the prior permission in writing of the Director of Highways and Transport, who may attach such conditions to the use of any such vehicle as a goods vehicle as to him shall seem fit."

Sir, we have goods vehicles that sometimes carry a few passengers. This is a very smartly worded sub-clause. The owner of a goods vehicle will not be able to carry out a few people on Sunday evenings. You have to comply with what the Director of Highways and Transport thinks fit. When you write to the Director for his permission to carry these passengers he will tell you that you cannot carry them. Then you are told in another sub-paragraph that, "no spotlight, lamps or other similar swivelling lamps shall be carried on any motor vehicle or trailer without the permission in writing of the Director etc." Sir, I have never heard that a lorry caught afire, or that people lost their lives as a result of a spotlight being carried on it. I know what is a back of that. We have to go into these Regulations very carefully.

Now we come to Clause 17 which lays it down that "every motor vehicle, other than a motor cycle, shall be equipped with a reflecting mirror, so constructed and fitted to the motor vehicle as to enable the driver of such motor vehicle to be, or become aware of the presence in the rear thereof of any other vehicle, the driver of which is desirous of passing such motor vehicle etc." As far as these mirrors and the way they are attached to motor trucks are concerned, it is very nearly impossible for a driver to see a vehicle behind. It is only a waste of money to put on these mirrors. You cannot see any vehicle behind because on motor trucks these mirrors are on the left side outside the vehicle. If it is inside, like in some cars, it would be alright. When it comes to driving a lorry I know what I

am talking about. A driver of a vehicle driving up close behind a lorry should blow his horn and let the lorry driver know he is close behind.

If a thing is not right it is wrong; and until the honourable senior member for St. Michael shows me that all the kinks in these Regulations have been straightened out I will not say "aye" to them. Another of these Regulations says that a lorry owner must put a stepney on the lorry. What help would it be to the Government when you put on a stepney? It will be the owner who will lose if there is any loss. Why make a man pay \$137.00 or \$152.00 for a tyre to put behind his lorry to work for two or three months, and then at the end of the crop he cannot pay the garage for it? In some cases a tyre costs as much as \$180.00. That is creating an unnecessary hardship. During the war years when there was a scarcity of tyres I have seen lorries bolted up, far less with stepnies on. I have never heard that anyone lost his life as a result of the absence of a stepney. Why burden a poor man with these hardships merely because the Director recommends them and can get the Minister in charge to push them through the House? These will have to be changed before I can say "aye" to them. The words "poor man" are so popular today that I am nearly afraid to use them. But we have to safeguard poor lorry owners against Regulations of this sort.

As I have already said, I am in favour of the necessary increase in fees. If we are to go forward we have to find the necessary money from somewhere to run the country. But I do not see that it is necessary to make a lorry owner go and buy a windscreen wiper or an extra tyre. I see motor cars already with the number of passengers painted on the front. According to these Regulations you have to carry the tariff rates of so much per mile inside on the back part of the front seat. Why cannot the number of passengers be put there too instead of making a man with a new car have to deface it? It is not a motor truck, it is a motor car. If I buy a new car and I carry out my wife and children in it next Sunday everyone can see that it is a taxi. There are 101 things that I can find fault with in these Regulations. I do not know how the honourable senior member for St. Michael is going to get around them. I want to see something done about them. Lorries are already being turned down. When people come to me now I can say that I know nothing about them. But when I approve of it I will be bringing down the wrath of the poor lorry owners on myself.

Mr. WILLIAMS: Mr. Speaker,—I beg to move that this House do now adjourn for half an hour.

Mr. TALMA: I beg to second that.

The question was put to the House and agreed to *nem. con.* and Mr. SPEAKER adjourned the House accordingly.

RESUMPTION

On the re-assembling:—

Mr. SPEAKER: I have the honour to inform the House that I have received from the Other Place the Bill intituled an Act to impose a tax on entertainments to which the public are admitted for payment, with amendments.

AMENDMENTS TO ENTERTAINMENT BILL AGREED TO

Dr. CUMMINS: Mr. Speaker,—In accordance with Rule 262 I am asking leave to deal with these amendments forthwith.

There being no objection leave was granted.

Dr. CUMMINS: Mr. Speaker,—These amendments are purely verbal, and the principle of the Bill is not involved. There are a few of them. In Clause 2 the word "on" is deleted and the word "for" substituted, and also the words "entertainment tax" are substituted for the word "duty". Right through the Bill where the word "tax" is mentioned, the word "entertainment" is inserted before it. As I have said, Sir, the amendments are verbal and do not involve any principle, and I beg to move that they be now read a first time.

Mr. Cox seconded the motion which was put and agreed to *nem. con.*

On separate motions of Dr. CUMMINS seconded by Mr. Cox the amendments were read a second time and agreed to.

DEBATE RESUMED ON TRAFFIC REGULATIONS

Mr. SPEAKER: On the adjournment the honourable junior member for St. Lucy was addressing the House.

Mr. WILLIAMS: Mr. Speaker,—Quite a lot of people may think that the heat generated as regards the adoption, rejection or postponement of these Regulations was generated without any useful purpose. I would like to say that it is a pity that honourable members were not circularised with some form of schedule in which they could see what Regulations are new; what were passed before; where they had been re-enacted or changed since they were brought in in 1939; and how they had been changed since then. That might have solved in a very great measure the difficulty which has arisen here this afternoon. I agree with honourable members who feel it their duty that since these Regulations seek to alter existing rights or to confer new rights and duties, they have to be guarded as to the passing, or postponement or rejection of these Regulations. It is true that the honourable senior member for St. Michael may have said in his own casual way "this Regulation is new," or "that one is not new etc." But I have found myself in great difficulty trying to find these Regulations which are scattered throughout the whole place. I notice in many cases that some of the Regulations—for instance the regulation dealing with straying animals is incorporated in one way with the "Bridgetown, Speightstown and Hometown Act, and in another way with the Police Magistrates Act. With Regulations of such a far-reaching nature you should at least know what was the existing law. As one of the legal members of this House I do not know all the law on Road Traffic Regulations, and I am sure that as regards my colleague who has had a specialist practice in this type of thing it would be difficult for him to say, looking at these Regulations, which are new, and which are not new. He has given me the assurance that he cannot look at them and say which create new rights or which alter long established rights.

If honourable members had been circularised with such a schedule as I have mentioned, much of the difficulties over these Regulations would not have occurred, and the fears and suspicions which honourable members quite rightly entertain would have been avoided. When you are dealing with Regulations like these, some of which seek to alter existing rights and impose new duties, you have to be very careful to see that you do justice to the community at large.

Now, Sir, I will just review some of these Regulations briefly. I do not want to go into them in full. I notice Regulation II which gives the Commis-

sioner of Police power to cancel or suspend the licence of any conductor on conviction for any contravention of the Act or of these Regulations. Mr. Speaker, I deprecate very much a Regulation of this kind. I have noticed Bills introduced in this Chamber the Objects and Reasons of which say that they are adapted to local conditions and local circumstances. I do not see any such attempt in Regulation II. In the U.K. you may give a Minister of Health the power to carry out some administrative function and you may not give the specific right of appeal to a higher Court. But even there you will find few Regulations or Acts altering substantive law and conferring power on an Official without the right of appeal being given. I feel that in a small country like this when you confer power on an Official and do not give the right of appeal you are creating a hardship.

There is Regulation 12 (1) which gives the Commissioner of Police the power to revoke a driving licence. Some time ago, as you may have read, that section engaged the attention of the Law Courts of this island very much. Here in sub-paragraph (2) we are using the exact words of the old Regulation in saying that the decision of the Police Magistrate shall be final. It would seem that we are attempting to abrogate the right of an aggrieved party to appeal to the Court of Appeal and the point was successfully taken that that cannot be done because the existing Court of Appeal Act allowed the right of appeal in almost every matter. I do not think that we can pass Regulations of that kind by which we would seem to be trying to take away the rights or liberty of the subject.

I am only speaking in a general way on the Regulations, Sir, because I expect that there are other honourable members who want to speak on them. I do not blame the honourable senior member for St. Michael, but I do feel that since these Regulations have been scattered all over the place it might have been a very good thing to have had members circulated with a cyclo-styled schedule so that one would know when a particular Regulation was enacted, when it was subsequently re-enacted or changed etc. Then we would have got a comprehensive picture of the Regulations before us, and a lot of the fears which honourable members entertain would have been avoided.

Mr. SPEAKER: The honourable member is aware that a motion has been made that the House go into Committee. If I allow honourable members to go into details on these Regulations it would be tantamount to saying that the House is already in Committee on the Regulations.

Mr. WILLIAMS: I do not want to anticipate the passing of that motion, but I must entertain the possibility that the motion may be lost, so I am placed in the dilemma of trying to get around it in a general way. I think that any of us who look at Regulation 53 (1) will agree that it is annoying to get on a 'bus or other public service vehicle and to be subject to hearing bad and abusive language being used on it. But then we see a sub-clause which forbids a person in or on the motor omnibus to "distribute printed or similar matter of any description or distribute any article for the purpose of advertising," and then sub-clause 12 which forbids a person, when in the motor omnibus, to the annoyance of other persons to "use or operate any noisy instrument or make any excessive noise by singing, shouting or otherwise;" also we see sub-clause 17 which forbids a person when in or on the motor omnibus to "beg, sell, or offer for sale any article."

Sir, I think that such Regulations are ridiculous. Many times in London a certain old gentleman has come up to me when I was on a 'bus, and thinking

that I looked like one of the old Africans who should be converted has given me tracts. But if, now, on a Top Rock 'Bus some old lady handed you a tract she is committing an offence against these Regulations. I do not see the purpose of this Regulation except it is to prevent you from receiving Communist literature. As regards this other Regulation about singing and shouting on a 'bus I will not even talk about Barbadians going to an excursion. See a few Cockneys going home on an omnibus and singing for all they are worth. Do you mean to say that a Barbadian does not have enough decency to know how to behave on a 'bus? Many times I have seen people prosecuted for not paying their fare, or for using bad language on a bus, but do you mean to say you have to make it an offence to beg, sell or offer for sale any article? I do not mind the begging so much; no one going home tired after a hard day's work wants to be pestered by someone begging alms. But suppose a peanut vendor comes and I want to buy nuts. I have bought newspapers while going down from Fleet Street on a 'bus. I still think that Barbadians have some measure of commonsense.

Mr. ADAMS: Mr. Speaker,—The honourable senior member for St. Michael is in charge of this Resolution, and I do not want to steal his thunder. I would like to say, however, that while I agree that one should express one's views on everything that comes before Parliament, we should remember that we are grown up, and avoid being infantile. Let me say at the beginning, that some of the words used—perhaps in the heat of argument—are grave reflections on the users of those words. From time immemorial legislatures have had to give power to subsidiary bodies to make rules and regulations. Parliament makes all laws, but Parliament cannot make all regulations. In every country of the world Parliament gives these powers to local bodies like railway companies and even bus companies. The safeguard is that if the Regulations so made are likely to affect the individual's pocket, or his liberty—there may be a question of imprisonment—Parliament assigns to someone (chiefly itself; but as it develops it may assign to a Minister) the right of saying "I approve" or "I disapprove." Honourable members have spoken as if that is something new. Throughout the Statute Book you will see whole batches of Rules and Regulations. There are different phraseologies as honourable members know. It is a pity that the honourable senior member for St. James is not here because he was a short time ago engaged in arguing this point about "forty day Regulations", a point which I understand is to go before the Privy Council. You cannot sit down in the Legislature and make minute Regulations annulling the power which you give in the Act. Therefore you say the Regulations shall be laid and come into operation from the time they are laid or made by the subsidiary body. All honourable members know that; but some of them have talked as if they were surprised to hear that these Regulations are law already. That has been so for the last 300 years. Until disapproved of, they remain law; and when disapproved of they cease to be law; but things done under them before the date of disapproval remain valid.

So there is nothing peculiar about these Regulations. Subsidiary bodies can make Regulations subject to the safeguard that Parliament can within 40 days say "no: we do not approve of them." I have been quoted as having promised to amend that law. I do not remember making that promise. I could not have said that in so many words.

Mr. E. D. MOTTLEY: Mr. Speaker,—Sir,—

Mr. ADAMS: I am not going to give way to the honourable member because I have not misquoted him.

Mr. SPEAKER: The honourable senior member for the City is speaking on something that he is supposed to have said.

Mr. ADAMS: We must observe proper parliamentary rules. The honourable member has not risen to a point of order. I said that I have been quoted as having promised to amend the law. The honourable member has no right getting to his feet until I sit.

Mr. E. D. MOTTLEY: I do not want to put Your Honour in an embarrassing position.

Mr. SPEAKER: On what point is the honourable member speaking?

Mr. E. D. MOTTLEY: I thought that you had already ruled that I should speak.

Mr. SPEAKER: I did not.

Mr. E. D. MOTTLEY: I understood Your Honour to rule that way. If Your Honour is in a bad position I will sit. I do not like to cause embarrassment to anyone for whom I have a great regard.

Mr. SPEAKER: The honourable member has said that I am in an embarrassing position. The honourable member is making too much use of his privileges as a member of this House. If the honourable member is going to look at the Speaker and say that he is in an embarrassing position I will ask him to withdraw that remark.

A MEMBER: He is out of order.

Mr. E. D. MOTTLEY: If the honourable senior member for St. Michael would get into the chair we would be better off. He has just come back from England and he is Chairman and Speaker and everything with his "penny dreadful."

Mr. SPEAKER: Will the honourable member deal with the matter in hand.

Mr. E. D. MOTTLEY: I withdraw anything that will cause Your Honour embarrassment.

Mr. ADAMS: It is a common practice for honourable members to get up while another is speaking and suggest that he has said so and so, and the member who is speaking gives way. But I was saying that I did not say anything in the way of misquoting anyone. The older I get the more careful I am with my language. I doubt whether in the past five years or so I have said anything that I would consider rash and would want to withdraw. I am sure the most I would have said on that point is that I would draw to the attention of the Executive the desirability of changing the rules so that members should be able, without rejecting all the Regulations, to amend them if they think it fit.

A MEMBER: Have you done so?

Mr. ADAMS: Honourable members know better than to ask me to disclose Executive Committee secrets. I would be inclined to suggest to the honourable member who has control of this Resolution to agree that it should be rejected and to have fresh Regulations drafted if I thought there was the slightest sense in the criticisms that have been made. I know that the word "nonsense" may pass Your Honour as being parliamentary, though it may not be so to the honourable junior member for St. Joseph. But more unadulterated nonsense has been talked this afternoon than I have ever heard. I hope that the honourable member will not be offended if I say that he should have told the House that the instance of the lorry concerned himself personally.

Mr. SMITH: Mr. Speaker, I do not know the lorry. I object to that.

Mr. ADAMS: I apologise and I withdraw my remarks if my information was incorrect. To save myself from being corrected by the honourable junior

member for St. Michael and the honourable senior member for St. Lucy whom I understood were also concerned in the ownership of the lorry I will apologise if my information respecting three Socialist—Capitalists was wrong.

I would like to say that we cannot be too careful in having Regulations aimed at safety. What is wrong with saying that you should have a windscreen wiper if you cannot push up your window and see where you are going? In big countries many more people are killed on the roads than on the battlefield. It is essential to have safety regulations. That is the answer to the suggestion about making the poor man pay for a windscreen wiper. No amount of money can pay for a man's life who is killed as the result of a lorry owner not having a windscreen wiper. I hope that I am not taking words out of the mouth of the honourable senior member for St. Michael. But the honourable junior member for St. Lucy must give people credit for having some commonsense. Today it is an offence to make a noise on the highway by singing or shouting. But who prosecutes? No one. But it is the law. People may come under your window and sing and make a deuce of a noise; but it is only when they come night after night that you have to get them stopped. At one time the Shakers in St. Vincent had to be restrained by injunction, and it led to a lot of offensiveness. But who prosecutes except in cases of excessive or constant annoyance? I cannot imagine people coming to town in a 'bus from Morgan Lewis after an excursion and not singing the whole way down.

I do not want to waste time; but I must illustrate. There may be instances where the annoyance might be so intolerable that you will have to prosecute. One can easily imagine the Electors' Association having a "Buccaneer Spree" and stopping outside the house of the honourable junior member for St. Thomas in Bank Hall and singing and shouting for hours on end. Why should not the law protect him from these buccaneering trips? I appeal to honourable members to see that if you go into committee now and you talk and talk and talk what then? What is the sense of doing that? Even that was admitted by the honourable senior member for the City who made the motion. We will be merely taking up a couple of hours which could be spent on something else. Honourable members are quite right in pointing out to the Executive that they feel that such and such a Regulation is preposterous. And of course it follows that whether or not they point it out, it will not be left in force if the Government thinks it is ridiculous. For the life of me I cannot see why a passenger should not be protected from annoyance. The distribution of religious pamphlets is not an offence under the Regulation which forbids the offering of printed or similar matter for advertising purposes. What is wrong about that Regulation anyhow? Who wants to get into a bus and have people pushing things into your hand and asking you to buy them? The honourable junior member for St. Lucy must have been in parts of London where the most extraordinary things took place.

I do appeal to honourable members to read these Regulations carefully. If they do they will see there is nothing extraordinary about them. As regards the point made by my colleague about the matter of the lorry I will ask if the fact that someone misinterpreted the law is proof that the law is unsound. It was not the fault of the law. It was the fault of the person who was not intelligent enough or careful enough to read properly what was there. I got up merely to appeal to honourable mem-

bers not to waste perhaps five hours in debate in Committee, to be in exactly the same position that the House was in at 3 o'clock this afternoon.

Mr. TALMA: Mr. Speaker,— As far as these Regulations are concerned I am of the considered opinion that until such time as the law is amended it will serve no useful purpose to go into Committee. It will only be a question of filibustering and wasting time. I must say, Sir, that many of the apprehensions which I formerly had about these Regulations have been removed on closer scrutiny. Take sub-clause 7 of Clause 14. That in my opinion has been a rather difficult clause for many people to appreciate and understand, including myself. This is what it says:—

(7) No private motor vehicle, unless it shall be converted for the specific purpose of carrying goods and licensed as a goods vehicle, shall be used as a goods vehicle without the prior permission in writing of the Director of Highways and Transport, who may attach such conditions to the use of any such vehicle as a goods vehicle as to him shall seem fit." I interpret that to mean that there are two cases in which a private motor vehicle unless converted into a goods vehicle may be used. In the first place as a private motor vehicle, and in the second place as a goods vehicle with the prior consent of the Director given in writing. I see no harm in that sub-clause. These Regulations incorporate many old Regulations which have been in existence for a very long time, and they also incorporate new ones. It is unfortunate that the honourable member who is in charge of the Regulations did not point out as plainly as he might have what was old and what was new.

Many of these Regulations have been in force for a long time. I am convinced that my interpretation of sub-clause (7) is right, and I am willing to vote in favour of these Regulations. In my view, Sir, it is not a question of the Regulations themselves, but the interpretation of them. What we have to guard against is the abuse of the powers given, not merely to the Director of Highways and Transport but also to some petty Heads and Officials who are conservative-minded. They may go out of the way to abuse these Regulations. I can support that view. I am not just blowing hot air. I refer now to Section 49 (1) (c) which gives the Director of Highways and Transport power to issue special permits to any concessionaire to operate a specified number of motor omnibuses on a route other than that named in the concession under which such concessionaire operates for carrying passengers to and from any place, if in the opinion of the Director there are any exceptional circumstances which make the issue of a special permit desirable. There is a case which I had recently to draw to the attention of the Government in connection with the tourist ships which visited the island recently. It is deplorable to know that the Head of the Transport Department saw fit to issue special permits whereby buses could be used for taking tourists around to the exclusion of taxis of small owners which were there lying idle. These taxi owners are people who pay taxes, licenses etc., and they were deprived of an opportunity to make a little money. The cars on contract could not cope with all the passengers, and instead of passing over some contracts to, or employing some small taxi owners they approached the Transport Department, and the officer in charge of that Department in the interpretation of this clause decided that special circumstances had arisen, and that special permits should be issued to the General Motor Omnibus Co. to the exclusion of the small taxi owners. So the

danger is really not so much in the Regulations themselves; it is how they are interpreted and if they are abused. I want to say that in the case to which I have referred an approach was made to certain members of the Executive; they took prompt action and no buses were used. I would like to bring to the attention of the Executive now that in the very near future three more tourist boats are due, and I will want an assurance that special permits will not be issued to allow buses to be used. It is not a question of attacking the Executive who were not responsible for the incident; but they will have to see to it that these Regulations are interpreted in the proper way, and that there is no abuse of power by petty Heads of Government Departments. I am hoping that the appropriate member of the Executive will see to it that there is no repetition of such an incident as I have mentioned. The officer at the Transport Department made no bones about it. He felt that he had exercised his powers and that there was nothing wrong with what he had done. These are things that will lead to the discredit of the Labour Government. People will say that the Government is not protecting their interests.

Although the honourable senior member for the City made a very good speech and I agree with him generally, he really did not specify many clauses in the Regulations that were out of order. I agree with him that the Act should be amended so that each clause can be dealt with in committee. But there is no point going into Committee now and making lengthy speeches. In the end we will have to either accept or reject them *in toto*. In my view the Regulations should be adopted because this is not the first time that Regulations have come to the House and have been adopted. That has been the practice in the past; I admit that it is a rather rotten practice. But the Labour Government did not create it. It is already the law. I still think that the debate has served a useful purpose. It may well cause Labour and other members to realise that in order to save time in the future the Act should be amended whereby the House will have power to reject a particular clause, and to deal with the clauses one after the other.

Mr. ALLDER: Mr. Speaker,—Listening to the honourable senior member for Christ Church I wondered if he were making his ministerial speech prematurely. He was so vague that at one time he was saying how unnecessary it was to go into committee, and at another time he was saying that he would take up certain things when we reached that stage.

Mr. TALMA: Sir,—On a point of explanation: What I did say was that it would serve no useful purpose for us to go into committee now; but that it was desirable that the Act be amended so that we could in the future discuss the various clauses of such Regulations in committee.

Mr. ALLDER: I heard the honourable member say that it is a rotten practice; but like other practices we have passed it before.

Mr. TALMA: If the honourable member were one who had to interpret these Regulations you could understand the abuses and misinterpretations that would occur.

Mr. SPEAKER: The honourable member is out of order.

Mr. ALLDER: There should be no limit to our seriousness in dealing with Regulations like these, in view of the fact that they have far-reaching effects, not only on the well being of the people of this colony, but financially speaking they create greater difficulties on those small people who

have vehicles. I have on many occasions warned the Leader of this House about making new Regulations, and putting new Acts on the Statute Book during a period of hardship, when the carrying out of these new Regulations and Statutes will involve added expenditure. But the honourable member still continues now and again to bring down new Regulations which only go to reduce the profits and the means of existence of people who are least able to bear it. Mr. Speaker, many apprehensions have been expressed by honourable members over these Regulations.

Mr. SPEAKER: May I remind the honourable member that the question now before the House is whether or not we should go into Committee. He should speak on that question.

Mr. ALLDER: There are two motions before the House. One is that the Resolution be agreed to, and then an alternative motion that we go into Committee. I am craving your indulgence.

Mr. SPEAKER: The House can only consider one question at a time. The last motion made and seconded is that the House go into Committee; so that is now the question before the House.

Mr. ALLDER: I am craving Your Honour's indulgence to make some general comments on the Regulations in view of the fact that if the motion for going into Committee is lost they will be automatically passed. Sir, if there are any apprehensions as regards passing these Regulations such apprehensions are justified. They became more justified in view of the fact that on several occasions measures have been brought to this Chamber; honourable members have expressed disapproval of parts of them; and promises were made by Government members to see that they were changed. But no such changes were made. Personally, I feel that this Chamber should not depend on the verbal promises of any Minister who makes such promises; but that we should know very clearly before any matter is agreed to here what its implications are going to be and what effect it will have on the public.

To get to these Regulations—sometime ago an attempt was made to make it impossible for certain motor vehicles to have the privilege of using the public roads. The House at that time was wise enough not to agree that such authority should be given; and I can see in the face of the explanation given by the Government Bench that there is a subtle attempt to re-introduce that regulation; and when the authority is carried out by the Department the members of Government can easily exonerate themselves by saying that it was not they, but the Department which had done it. I, like other honourable members have had experience of these Heads of Departments. If you do not intend that something should be done why allow it to reach the Statute Book and then give people the difficulty of having to appeal to the Police Magistrate's Court or the Court of Appeal or even to the Executive? The thing we must do is to make sure that the public do not suffer unduly. What I have noticed is that Government makes certain impositions on the public while their own institutions are not up to the standard which would qualify them as properly run institutions.

Mr. SPEAKER: The honourable member is certainly straying. I hope he realises that.

Mr. ALLDER: When, Sir, a new authority is being put in the hands of Heads of Departments to make Regulations, especially Heads of a different political outlook, the Labour Government has to be very careful, and the House has to be very careful as to what we agree to. There are some Heads of Departments who are very eccentric, and who main-

tain a lot of spite and prejudice for political and other reasons, and when you put certain powers in the hands of these Heads, we as a Labour House have got to be very careful to see that they are not abused.

While some honourable members seem to agree with the increase in fees for certain services which are expected to be rendered at the Highways and Transport Department, as small as these increases look they are nothing but increases in taxation coming after the several increases to which we have agreed to, or to which a part of this House agreed not long ago. While such increases might appear nominal to some honourable members, a large section of the public has already begun to squeal. There is a point that was raised by the honourable junior member for St. Lucy as regards a particular clause which tells you that if the Commissioner of Police refuses the granting of a licence to a conductor or driver he can appeal to the Police Magistrate. I am wondering why they have limited the privilege of appeal to the Police Magistrate instead of allowing an appeal to the Court of Appeal or the Court of Error. On rarely sees a Police Magistrate differing from a decision which the Commissioner of Police may make.

There is another point — the question of selling articles in buses or around buses. In practically every big country where people travel by train, when the train reaches a station you see all kinds of people coming around selling newspapers, vegetables, sweets etc. It is a great inconvenience to the travelling public; because many passengers may not have the chance to make all the purchases before reaching the bus, and if they can make a purchase while in the bus without the least trouble to anyone why prohibit them? Why should you so suddenly desire a perfect state? No one has ever yet read of the existence of a perfect state in this world. Legislation does not bring it about. As a matter of fact if you make too many laws to regiment the people you get a breaking down of standards as a result, making it possible for more people to break the laws. I feel, Sir, that these Regulations are unnecessary, and what is more it is the general opinion that in a community like ours the fewer the laws and regulations the better the people are able to exist. The honourable senior member for St. Joseph knows a lot about the laws that were practised in ancient states. He also knows that the State which attempted to make a law for every possible thing was the state which did not exist for a very long time. I think we must take it that no matter how bad an individual is, his fundamental motive is to be good. You do not have to force him to be good. He will not become good as a result of being forced.

The clause to which I am referring is the one which makes it an offence to convert a private motor vehicle into something else without getting the consent in writing of the Director of Highways and Transport. Now we all hear of the amount of trouble we get from that department; and yet we are putting more power into the hands of the officers of that department. That department comes in for more criticisms not only from the members of this Chamber but from the general public than any other Department of Government. What is going to happen? However simple and innocent this clause might look, many a poor man who already has vehicles on the road for the convenience of the poorer section of the community who cannot get first class transport will have to cease doing it, because the Director of Highways and Transport is going to demand things which these poor owners of vehicles

cannot meet. That is what causes me to feel that this is a subtle way of re-introducing what has been introduced sometime ago and which was intended to get these pick-ups and converted lorries off the streets.

Since this question was raised here, many members of the public—those who use these converted vehicles and also those who own other motor vehicles—have approached me and they are very apprehensive as to the attitude which might be adopted as a result of the passing of these Regulations. I am saying that if we find that a large section of the public does not like certain Regulations which affect them, it is our duty to remove them from the general set of Regulations. Some members of the Executive Committee are always in the air; when they are not in the air physically, they are in the air mentally.

Mr. SPEAKER: Is the honourable member replying to asides or is he debating these Regulations?

Mr. ALLDER: I am speaking to you. I find that these converted vehicles serve a very useful purpose because on mornings they are the only means by which many workmen from every parish get to Bridgetown, and many hawkers also depend upon these vehicles to transport them to Bridgetown where they sell their goods. These vehicles also help many people in the metropolitan area to get their commodities, and if these Regulations are put into operation they will hamper trade and that is a serious imposition to be placed on the public who consume these commodities. I notice that one of these Regulations demands that special permits be asked for by concessionaires so as to take people on excursions and the concessionaires have to pay \$1.00 for each permit. If a person applies for the service of twelve buses from concessionaires who, in turn, have to apply to the Department of Highways and Transport for permits and pay \$1.00 for each permit, that \$12.00 will be passed on to the person who hires the buses. Why should we worry with that? That is increasing the cost to the person who hires the buses. Could they not issue a common permit for running a bus on a different route without taking a dollar for it? Certainly, you could do that. All things only add to the difficulty of the people who have to make use of that Department; I have seen some time ago that the indiscretion practised by the Head of the Department caused even the hon. senior member for St. Joseph to be very active in seeing that a concessionaire was given back his concession. (Mr. ADAMS: Do you not think I would do that again?) I do not want to give you the trouble to do that. Why make it necessary to undo a wrong which has been done?

I do not believe in our going into Committee on these Regulations; while I feel that there are certain of these Regulations which are necessary in order to guarantee the safety of the travelling public, yet there are certain others which can only work with great difficulty to the public. As there is no means of taking out what Regulations we dislike, the only alternative which this House has at its disposal is to reject the whole set of Regulations with the promise that when new Regulations are presented to us we will give them our blessing. While honourable members might agree that certain things are necessary, yet they might find that one or two other things are so bad as to remove all the good which the others might produce. I therefore counsel honourable members, especially those of us who represent rural areas, not to agree to any set of Regulations which will make it more difficult for our con

stituents than those which are already in existence. The people in certain areas suffer very badly from proper transportation facilities and it is obvious that no honourable member who represents a rural area could agree to these Regulations which I consider are only punitive, and face his constituents with any appeal to their sympathy in the future; because he would have done them a disservice if he did not compel the Administration to take out what Regulations he feels would work a hardship on the travelling public, and bring back those Regulations which would not work any hardship but would guarantee proper behaviour by the travelling public.

Mr. BRANCKER: There is a motion before the House that we approve of these Regulations and there is also a motion that we go into Committee on them. I will explain why I see little merit in the proposal that we go into Committee on these Regulations; we cannot make a single amendment and this discussion might be prolonged indefinitely to no useful purpose. Because honourable members will be able to speak more than once, that is not sufficient reason for our going into Committee; we are all perfectly aware that certain powers were given to the Head of the Department of Highways and Transport to make a considerable number of Regulations.

At this stage Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.

Mr. BRANCKER: Mr. Deputy Speaker, — I was saying that the power was given to the Head of this Department to make these Regulations and this is not a matter for which the Government is responsible. These Regulations are the departing souvenir on the part of the Head of this Department. It is customary for law-making bodies to delegate certain powers to local authorities and as far as these Regulations are concerned, in the case of a driving license, the fee has been increased by 100% and in one or two other cases they affect people's pockets to a great extent. The increased revenue from this source will be one of the means of financing the Five Year Plan.

The honourable senior member for Christ Church has made an excellent point; it is not merely a question of the Regulations which we pass, but the power given to officials who will be interpreting these Regulations and who will be permitted to exercise their discretion in favour of certain exclusive individuals. The honourable member could have gone further; he might have said that not only did the Department promise to issue the licence, but the Head of the Department thought that permits should be given to one particular bus Company — the General Motor Bus Company.

It would have been all right if these Regulations were simply consolidated Regulations but there are any number of new Regulations which were never dealt with in the previous ones. I welcome that section of the Regulations dealing with the conduct of passengers on the buses, because I recall that I tabled a question and actually drafted a series of Regulations dealing with this matter; however, the Ex-director did not favour those Regulations being passed into law and we only have them now in 1953. I congratulate the Ex-director on his change of heart.

Although we are in favour of passing many of these Regulations which we realise are for the good of the community, yet there are some old ones which need to be dealt with. Regulation II says this;

"The Commissioner of Police may cancel or suspend the licence of any conductor on any con-

viction for any contravention of the Act or of these Regulations."

That means that if a particular Commissioner of police decides that a particular conductor had any conviction, he could suspend that conductor's licence, and that man would be deprived of his opportunity of earning his livelihood in this Socialist state, and there is no question of any appeal! Regulation 12 deals with the matter of the revocation of driving licences and section (2) says this:—

"If any person is dissatisfied with the revocation of a driving licence under this Regulation he may after giving notice to the Commissioner of Police in writing of his intention so to do within seven days of the receipt by him of the notice of revocation appeal to one of the Police Magistrates of District 'A' whose decision shall be final."

What is intended by the draughtsmen of this Regulation as to the word "final"?

As to the question of this decision being final, it has been threshed out quite recently that that does not mean that there cannot be an appeal to the Assistant Court of Appeal, and it has been interpreted by the Court to mean that you cannot appeal from that decision. It seems to me that we should either reject these Regulations or they should be revised and let the Executive Committee introduce another set of Regulations to take the place of those which are giving so much trouble. Where we had bad Regulations before, we should eliminate them. Regulations 13 (8) says this:—

(8) If in the opinion of any member of the Police Force in uniform or any Inspector or any person authorised in writing by the Director of Highways and Transport on the Commissioner of Police, any motor vehicle or trailer which is on any road, is not in a fit and proper state of repair, such member of the Police Force in uniform, Inspector or other person authorised as aforesaid may require the owner or driver or the person for the time being in charge of such motor vehicle or trailer to take such motor vehicle or trailer or cause the same to be taken, to such place as he shall direct for inspection, and the owner or driver or person for the time being in charge of such motor vehicle or trailer shall comply with all the reasonable directions of such member of the Police Force in uniform, Inspector or person so authorised.

Suppose it happens to be the Saturday before Easter and this person who may know no more about a motor vehicle than you or I know about it, says that the motor vehicle has to be kept until such and such a time—

Mr. DEPUTY SPEAKER: If the honourable member is dealing in detail with these Regulations, will he allow the motion for going into Committee on them to be put?

Mr. BRANCKER: I was merely pointing out the defects in these Regulations. Regulations 29 (4) says this:—

"No parcel or package of any kind shall be carried on the floor or in any part of the driver's compartment."

I do not know if Your Honour has ever travelled in a bus in Barbados, but when—

Mr. DEPUTY SPEAKER: The bus is my humble means of transportation.

Mr. BRANCKER: This Regulation means that when a bus arrives at its terminus and the bus driver's wife brings his dinner in a basket which he rests in the driver's compartment, he is committing an offence while that parcel is carried there.

There is just one last point I shall make as I am

trying to make the shortest of the lucid speeches made on this subject. On the question of issuing permits, Regulation 49 (1) says:—

"The Director of Highways and Transport may in his discretion issue special permits to any concessionaire to operate a specified number of motor omnibuses on a route other than that named in the concession under which such concessionaire operates for the following purposes:—

- (a) for carrying school children and such number of masters and mistresses as may be specified in the permit to and from school;
- (b) for carrying persons to and from cinemas, theatres and other places of public entertainment and recreation;
- (c) for carrying passengers to and from any place, if in the opinion of the Director of Highways and Transport, there are any exceptional circumstances which make the issue of a special permit desirable."

You have now a state of affairs in which where-as permits were issued allowing a number of masters and mistresses to travel on certain routes, there is an inadequate number of buses on the Leeward route and the masters and mistresses are no longer permitted to travel on the buses; there is not enough room in the buses to carry the masters and mistresses. As a result you may have the children arriving at the school but a teacher is unable to travel by the bus and a whole class may be deprived of his or her services. The teacher therefore has to arrive at the school an hour ahead of school time so as to make sure that he or she is there in time to teach the children when they arrive at the school. In the past the Ex-director did not do anything about the transport, but I am hoping that there is a new era in store for this Department. I am referring to the fact that the two new Heads will both be uncontaminated by certain evil influences of the past. The Executive Engineer has shown a sense of his responsibility and he is not allowing himself, up to now, to be dictated to or ruled or governed by the people who formerly ran the Transport Department.

I think I have made the few most necessary comments which I felt should not be left unmade and as honourable members seem to have some other engagement, I shall bring my remarks to an end. I shall make the motion which was made last time and that is that the further consideration of this Resolution

be postponed until the next meeting of the House. I make that motion in order that between now and the next meeting of this House there will be a new set of Regulations presented to this House deleting those Regulations which are obviously offensive and unsuited to local conditions, and particularly those which would work an injustice on the type of persons whom we have been specially chosen to represent.

Mr. HOLDER: I beg to second that motion.

Mr. COX: I am accepting that motion.

Mr. E. D. MOTTLEY: There seems to be the absence of a sense of duty that when one honourable member stands the other must sit. The honourable senior member for St. Michael has already spoken on these Regulations.

Mr. COX: I am accepting that amendment.

Mr. E. D. MOTTLEY: The honourable member cannot accept that amendment.

Mr. DEPUTY SPEAKER: The honourable member is at liberty to speak on any motion which is made after he takes his seat. As regards the honourable senior member for St. Michael accepting the amendment, according to the Rules of the House I will put the motion to the House; I do not think the honourable member can accept the motion for the postponement.

The question that the further consideration of this Resolution be postponed was put and resulted in a "tie," the division being as follows:—

Ayes: Messrs. MAPP, BARROW, TALMA, HOLDER, BRYAN, COX, BRANCKER, DR. CUMMINS, and MRS. BOURNE—9.

Noes: Messrs. SMITH, MILLER, CRAWFORD, J. C. MOTTLEY, ALLDER, HAYNES, GODDARD, E. K. WALCOTT, and E. D. MOTTLEY.—9.

Mr. DEPUTY SPEAKER: The question has been resolved in a "tie," nine honourable members voting "Aye," and nine honourable members voting "No". As I consider it to be the duty of Mr. SPEAKER to vote for the further consideration of the Resolution being postponed, I vote with the "Ayes". I therefore declare that the "Ayes" have it.

THE ADJOURNMENT

Dr. CUMMINS. I beg to move that this House do now adjourn until Tuesday next, the 27th instant, at 3 o'clock p.m.

Mr. Cox seconded the motion which was agreed to, and Mr. DEPUTY SPEAKER adjourned the House accordingly.