

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1954—55

HOUSE OF ASSEMBLY

Thursday, 18th August, 1955.

Pursuant to the adjournment, the House of Assembly met at 2 o'clock p.m. to-day.

Present:

His Honour K. N. R. HUSBANDS (*Speaker*),
Hon. G. H. ADAMS, C.M.G., Q.C., B.A., (*Premier*),
Hon. Dr. H. G. CUMMINS, C.B.E., M.D., C.M.,
(*Minister of Social Services*), Hon. M. E. COX,
(*Minister of Communications, Works & Housing*),
Hon. R. G. MAPP, (*Minister of Trade, Industry and Labour*),
Mr. F. E. MILLER, Mr. E. ST. A. HOLDER
Mr. V. B. VAUGHAN, Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries*),
Mrs. F. E. BOURNE, Mr. E. W. BARROW, B.Sc., Mr. J. C. TUDOR, M.A.

Prayers were read.

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the last meeting are not yet ready for circulation.

LEAVE FOR DEPUTY CLERK

Mr. SPEAKER: I have the honour to inform the House that I have received the following from the Acting Deputy Clerk:—

Brighton,
Black Rock,
18th August, 1955.

His Honour,

K. N. R. Husbands,

Speaker of the House of Assembly.

Sir,—I regret that I am still indisposed and therefore unable to attend to-day's meeting of the House of Assembly to perform my duties as Acting Deputy Clerk, I therefore ask for leave of absence for to-day and may state that Mr. R. C. Chapman, Solicitor, has kindly consented to act for me subject to the approval of the Honourable House.

I have the honour to be,

Sir,

Your obedient servant,

D. A. BANFIELD.

Hon. Dr. CUMMINS: I beg to move that leave be granted to the Acting Deputy Clerk for to-day.

Hon. M. E. COX: I beg to second that.

The question was put and resolved in the affirmative without division.

Hon. Dr. CUMMINS: I beg to move that Mr. R. C. Chapman be appointed to act as Deputy Clerk for to-day's meeting.

Hon. M. E. COX: I beg to second that.

The question was put and resolved in the affirmative without division.

GOVERNMENT NOTICES

Hon. M. E. COX: Mr. Speaker, I beg to give notice of a Bill intituled an Act to provide for the establishment of a Transport Board concerned with transport, to specify their powers and duties and for purposes connected therewith.

BILL READ A FIRST TIME

On motion of Hon. M. E. COX, seconded by Hon. C. E. TALMA, the Bill intituled an Act to provide for the establishment of a Transport Board concerned with transport, was read a first time.

BILL TO PROVIDE FOR TRANSPORT BOARD

Hon. Dr. CUMMINS: Mr. Speaker, I am asking leave to move the suspension of Rule 89 in order to proceed with this Bill throughout all its stages to-day.

Hon. M. E. COX: I beg to second that.
2.25 p.m.

Mr. LEWIS: Mr. Speaker, I am taking the opportunity to clarify the position. As far as I understand it, if the Order Paper is fixed and printed for a meeting and you wish to deal with something else you have to suspend Rules 88 & 89. As far as I can see, you are dealing with this Bill to-day. The moment that you have suspended Rule 89 the House has given permission for the Bill to be dealt with the same day; and this Bill which has just been read a first time is obviously a Bill to take money out of the Treasury.

Mr. SPEAKER: Yes that is right. It takes money, if not directly, indirectly out of the Treasury.

Hon. G. H. ADAMS: Mr. Speaker, according to the Rules of the House Orders must be taken in accordance with their sequence on the Order Paper. If you deviate from that you have to move the suspension of both Rules 88 & 89.

Mr. SPEAKER: The hon. member is asking leave to suspend Rules 88 & 89 and unless there is any objection leave will be granted.

There being no objection leave was granted the hon. member.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, we propose to deal with this Bill intituled and Act to provide for the establishment of a Transport Board concerned with transport, to specify their powers and duties and for purposes connected therewith, as the first Order of the Day.

Hon. M. E. COX: Mr. Speaker, in moving the second reading of this Bill, I should like to say that it is drafted along similar lines to that of the Natural Gas Corporation Act, 1950. When on Tuesday last we discussed the question of providing funds for the Government to carry on the transport facilities of this island from the 25th August consequent upon the decision of those of those bus owners who decided to give up their concessions, I knew then that this Bill was already drafted and that it was only a question of getting it before the Legislature; although it was felt by many that it would be introduced only after some honourable members expressed the view that it would be better if a corporation was established.

While it is true that the Objects and Reasons state that "after negotiations with the persons or bodies who operated concessions for the carriage of passengers by motor omnibuses several of the concessionaires were unable to accept new concessions. Government has therefore to make provisions, pending new concessions being granted, to carry on a passenger transport service.

2. It is intended by this legislation to set up a Board having corporate status for the purpose of operating a passenger road transport service on those routes which have not been absorbed in new concessions."

The next paragraph points out that it is drafted along the lines of the Natural Gas Corporation Act and reads as follows:—

"This Legislation follows generally the Natural Gas Corporation Act, 1950."

It is one of those formal Bills with which this House is accustomed to deal. Hon. members are aware of the negotiations and decisions between the Government and the owners of the motor omnibuses who have decided not to continue operating after the 24th August.

I do not think it is necessary to go over all aspects of these negotiations. Although the Objects and Reasons in the first paragraph state that that it was not necessary "to make provision, pending new concessions being granted, to carry on a passenger transport service" I should like at this stage to make it clear that even if at the latest moment any of these owners express their willingness to continue their concessions or any new person should come forward with an application for one or more concessions, the Government will favourably consider such application.

I should like to say at this stage that at least from the point of view of first hand information as to the running of this service, it is Government's intention to run at least one of the concessions with those few remarks I beg to move that this Bill be now read a second time.

2.35 p.m.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Speaker, as I myself said not two days ago, this is really the proper method in which the Government should undertake the business in hand. The proper method is to set up some corporate body or Government department for the pur-

pose of running the transport system of the island. I am unable however, to congratulate the Government on the method by which they have dealt with the bringing of a Bill of this nature.

I see nothing that would have been detrimental to the bringing in of this Bill to run this service if the Minister of Communications had said on Tuesday night that there was a Bill of this nature in the process of being drafted, and that it would be put before the Legislature at an early date. Surely, sir, secrecy in a matter of this sort is unbecoming to the Government. It is not playing fair with the Legislature.

The Government came and asked for money to run the bus service for two weeks. They said that they intended to use the island's revenue after that; they knew that that would be illegal; and instead of saying then that they had a Bill of this nature to bring forward, they gave the impression that they wanted to meet to-day to get through a few important Resolutions, and that there would be a long adjournment after that. That is what the Leader of the House said; but the Minister of Communications never said then that this Bill was in the process of being drafted. I regard that as reprehensible behaviour by a responsible Government.

On the last occasion we discussed the Transport situation, I drew it to the attention of the Government as mildly as I could that you cannot appropriate the revenue of the colony to your own use. Bringing forward this Bill today without having said anything about it last Tuesday, gives the impression that the Government would have waited until late on Tuesday night when a few members were here to arrange to have this meeting to-day or to-morrow and quietly pass this Bill. The Government cannot say that any hon. member would be wrong if he got that impression.

It would have been a source of satisfaction to some hon. members to have learnt that the Law Officers were already drafting this Bill, knowing that there was an emergency and the Government had to make shift. That is different from saying that we should meet to-day and then have a long adjournment, knowing that this Bill was still in the process of being drafted. The Government asked us to postpone a Resolution and come back to-day and do it; as I see it they might have been able to-day to withdraw that Resolution and bring in another Resolution or a Bill along with it.

It is not that the Government is doing something which is not absolutely necessary, but it is doing it in such a manner that you cannot offer them any congratulations at all.

Now, sir, there are one or two features of this Bill that need some explanation. I suppose that they will have to be dealt with when we are in Committee. I personally, however, do not see any reason for saying that a person who is a member of the Legislature cannot be on this Board. The public might feel satisfied to know that one of their representatives is a member of the Board, looking after their transport and their finances.

There is another clause which says something to which we objected in the Development Board Bill. You cannot appoint someone on a Board and then send him a letter giving him a nice soft kick off the Board like that. You are giving the impression that you yourself are going to appoint people about whom you have grave doubts, so that you reserve the power to kick them off at any little whim of your own. What self respecting person would you get to serve on a Board under those circumstances?

Some reason should be given. You should make it clear that they will be put off the Board if they

are incapacitated, or if their actions are detrimental to the interest of the Board.

2.45 p.m.

Let us say, for instance, that the Government does intend to run a concession or to maintain the service; they will have to get buses. Nobody has the concessions after a certain date, so Government is not taking over somebody's concession; Government is awarding a concession to itself. Government is going to set up a corporation to run this transport service; I would like to see this corporation acquiring something other than land.

Mr. Speaker, the acquiring of property is a principle of this Bill; the main principle is not to run something which you have not got. What strikes one as unnecessary in this Bill is this continual going back to the Executive Committee. You cannot do anything unless you go to the Executive. You keep on hearing that the Executive is over-worked, yet your Development Board, the Housing Board and now the Transport Board can do nothing unless they go to the Executive. I think the Executive Committee, now that there is a responsible Government, wants to have power to act and then to have their actions investigated afterwards.

You cannot run any business properly if every little thing which you have to do, you have to go and ask a body to meet and decide whether you should do it or not. It seems to me that these powers which they give you are hamstrung. Everything that comes in here is so worded that nothing can be done without the Executive.

If you look through the whole of the Local Government Act, you will see that nothing can be done unless you consult the Executive Committee. I think the people who are in the Executive Committee should have a whole time job; the Ministers themselves would have to be outside of the Government. I say, pick the people and let them do the job you pick them to do; pick the people in whom you have confidence.

It seems to me as if this Transport Board is something in which certain decisions have to be taken. You are employing people and doing this, that and the other and everything that you do you must do in consultation with the Executive Committee. I have noticed that is happening too often and I am saying, that if you are afraid of Boards, have none of them. You are going back to using them, but you are hamstringing them because everything they want they must come to the Executive Committee. Do not do that. [A VOICE: That does not appear in the Bill.] I have read it in the Act, and as we go through the Clauses, I intend to point it out. However, with regard to the other things which I wish to touch upon, I will do so when this House goes into Committee on the Bill.

Mr. F. E. MILLER: Mr. Speaker, in supporting the Bill I think that it is the first time that I find it a tremendous reprieve from the triangular battle we have been having during the past three weeks between the Government and the bus Concessionaires. It is an indication of the socialist faith in the unity of strength, because when everything else had failed the only hope was a corporation.

This is the thing which should have been suggested from the first. What is fortunate and realistic in this Bill, is that it is the only means under which the country's transport can be directed properly. It probably gives a fuller meaning to what John Wesley said and meant: "In Christ Himself is the only

source on which you find a ready help in the moment of need."

Occasions like this give us the opportunity to realise the importance of the moment and the crisis. The Minister himself by action has not only given silent consent, but is showing us also where he is willing to return to the shrine and altar of the socialist theory of nationalisation and is asking us to come and worship in common there with all people of a socialist theory.

You cannot think of serving a section of the community with something that is necessary and then restrict the other section because it cannot pay commensurately for that service, and then ask private Concessionaires to take care of those unprofitable routes. If the atmosphere we breathe could be bottled, thousands alive today would be dead; and that applies also to water.

Like the water service, so is the bus service. It may not be profitable; but the philosophy of Government ownership is not that Government should search for things and utilities which are profitable to bring in money to its coffers; public ownership of something is a question of what it means to the needs of the people.

There has been a lot of discussion on the elimination of slums; but I am sure when you have a well-regulated and efficient bus service the people who now live in slums in the City will move to the suburbs. This is one of the two occasions when the Hon. Minister of Communications has blundered to success. But what is disturbing in this Bill is a remark he made when he said that the whole idea of this corporation was to turn over the concessions in due course to the people who applied for them. In other words, this is not to be a permanent corporation. Were it not for that remark I would have said nothing on the Bill but just sat and voted for it.

Another thing that is utterly unfortunate about this matter, is that you are only controlling one section of it. Obviously, by so doing there must be some form of discrimination whether you want to accept it or not. You cannot hope to ask private Concessionaires to do what Government is able to do; because they would be probably unable to do so. Probably, they would be unable to take care of the feeder routes.

2.55 p.m.

It has been the policy and dream of the Socialist Government to bend the will of the people for the good of the community. If there is an occasion to do so now, why do you hesitate? You must discriminate in supplying your bus services at present, because in areas where you have private Concessionaires where it is impossible to compare the cost of capital then there is no answer. The community is willing to pay for the services and they all agree that the Government should increase the transport facilities. Visual Education and transport mean progress. Do not increase the fares. When I say do not increase fares, the Minister of Communications probably would not understand the significance of what I am saying. You cannot get a living out of life unless you have a knowledge of commerce; otherwise you are bound to be relegated to the bondage of human slavery. However, there is a way of answering this. [A VOICE: All right. Back to the Bill now.]

Now, to get back to the Bill. This is not an occasion for rambling, but it is a tremendous occasion; and I am not convinced, I am not even sure that the Minister of Communications is aware as to whether martyrs die or not. Noble spirits suffer; but martyrs never die; they continue to live on and

Other Place from being a member of this particular Board?

I would like to know from the Hon. Minister the reasons why you are trying to muzzle the members on this particular Board. It may be a commercial concern, but you have members of the Legislature who know about commerce. It is true that it is not everybody who knows about it, but you may go outside and get some people to be members who do not know anything about it. If you have a member of this Chamber or of the Other Place who knows anything about running this affair, I feel that such a person should be a member of that Board.

3.25 p.m.

I understand that there was some argument about Mr. Graham Gittens; but I am nothing to do with Mr. Graham Gittens. If a member of this House cannot be paid on this Board you should do something to make it possible that he can be. Do not keep him out on the grounds that he cannot draw money while being a member of this Board. If you do not want him to draw money on a particular Board do not put him there.

It is not fair to members of the Legislature on the whole that they should be kept from being members of this particular Board. I feel that members of this House, and especially members of the Government should have a seat on this Board for several reasons. In this particular case, for instance you are now more or less experimenting with comparatively new ideas; and you may perchance appoint people who may run it in such an unsatisfactory way that the island will not hold you blameless.

I am not asking for a job for myself. Here you are going to set up a Board for the first time; here you are up against opposition. In setting it up you should keep even one member from among your party on it. That member would act as a sort of watchman who would be able to stop things from going wrong if they did at anytime.

I cannot conceive for one moment of your setting up such a board without this provision. If you are going to tell me that you cannot appoint a member of the Legislature on the grounds that he would have to be paid and he cannot draw money under such circumstances, I cannot agree with that. If it is a fact that he cannot draw money while being a member of this Board you should so amend it now that under Regulations it would then be possible that members of both Houses of the Legislature could be appointed as members of this Board and be able to draw money. I conclude that you are doing yourself no good in keeping members of the Legislature from membership of this Board.

If you want to have everything carried out smoothly you should; and I think you would be making a grave mistake in not doing so. Nobody knows the working of it; and you cannot always rely on experts because sometimes the experts have to rely on somebody else.

I feel that you should have a member of the Legislature as a watch dog at least for one year. How can you know what is happening if you are shutting the door on the man who should be at the head of the Board. I do not see the advisability of it. There may be more than one reason which the Government has; but it might be well if the Minister of Communications would explain why he would not put members of the Legislature on it.

I am of the opinion that you should have members of the Board whom the public can approach. If you go and put a certain type of person on the Board whom the conductor or driver would not be able to

approach, it would not be in the best interests of the people nor would it be too happy an arrangement.

Up to this morning a man said to me: "Smith, I have no faith in anything that the Government goes to do. As soon as the Government begin to run these buses the fares will go up." That man may be the very man that the Government's eye may catch to appoint to a seat on that Board; and he will be going in there with the strong belief that we are not going to succeed. I will disclose his name if you ever appoint this particular man to that Board. Then, and not till then, will I do so.

You will have to be more careful; and I foresee that you are going to hide the wrong side of the picture if you do not keep members of the Legislature as members of that Board [A VOICE: You are talking foolishness!]

Mr. Speaker, I think it is my privilege to stand on my feet and talk even if I talk foolishness.

Now, sir, I am only warning the Government to be careful with these valuations; I am referring to the valuations of the buses etcetera which the Government intends to take over. As far as these valuations are concerned, the members of this Board will be in a position to know something about it. I think I will have to say as the economist in this House said last Tuesday; he stated his price. Of course, it will come nowhere near there, because he went to a school where the children cannot even spell.

The Concessionaires of these buses will be surprised to see that they do not have anything of real value on the road. However they will feel now that the oldest of their buses is worth £50 million; but to go into all of them and to deduct the necessary depreciation costs, I know that they will be worth very little if they value them in their way. If Government do not do that, only millionaires will be able to buy them.

I disapprove of the idea of not permitting members of the Legislature to sit on this Board. Why cannot they? It does not pay you to be a legislator if you are going to be kept out of important business like this. I sincerely hope that Government will think of it more seriously and bring down legislation cancelling the provisions of subclause 3 and Clause 5 of this Bill to make it possible for members of the Legislature to be eligible for membership of this Board.

3.35 p.m.

Mr. TUDOR: Mr. Speaker, I would first like to associate myself with the mild protest made by the honourable junior member for the City with respect to the manner in which this matter was handled by the Government. One of the reasons why I did not give my support to the Resolution that was discussed last Tuesday, was that I knew that something more important was bound to come; and I did not then wish to put myself in the position of having committed myself on matters of principle without the additional information which I felt that a Minister of the Government should put before the House.

In that connection I wish to say, extenuating as the circumstances may be, that it is hard to expect members of the House to be able to make contributions to debates in a serious and informed manner if Bills are going to be put into their hands less than 24 hours before they have to discuss them.

Even if a member was not prepared to criticise the Government on that on this particular occasion, he would be strengthened and encouraged in doing so by the remarks made by the Minister who is handling this Bill who said, if my memory serves me, that

the Bill was already drafted when the House was discussing the Resolution on Tuesday.

I do not think that it would have required any great courtesy on the part of the Minister to have informed the House that a Bill of this nature was in preparation and that it would be brought to the House very soon. It would have done no harm even to have given the House some small outline of what was proposed in the Bill. I therefore believe, (and I shall continue to believe it unless I am convinced to the contrary) that when the Government asked for the adjournment of the House until today, they knew very well that it was themselves who wanted it for reasons best known to themselves, although they did not say so.

We all went away feeling that we were coming today just to clear the Order Paper for an adjournment, and with nothing more important in view. But all the time the Government knew that this Bill was coming. They knew that it was a very controversial one. They knew all that when the honourable junior member for the City insisted, and you, Sir, agreed that the notice of today's meeting should be sent to individual members so that there would be no misunderstanding that our presence would be required here today.

Now, sir, Dr. Johnson used to say that schemes of political improvement are very laughable things. I suppose that if he were alive today he would find much to tickle his sense of humour, and much that is amusing and even ludicrous in certain aspects of the matter here before us. While I am on this point, I would like to protest once more against the sloppy and slap dash methods which prevail in this House, and which are used by Ministers in introducing Bills. The Minister of Communications in moving the second reading of this Bill spoke for about four or five minutes. I am sure that on an important matter like this, he has not given anyone who was listening to him anymore than the slightest understanding of what he was introducing.

In fairness to him you might say that he claimed that most of the subject matter of the Bill was dealt with in a debate previous on the Resolution with respect to the luggage vans, and again last Tuesday on the Resolution to provide working capital for the proposed Government Transport service. There is a certain amount of justification in that claim; but when a Minister is introducing a Bill he has to assume that only he knows anything at all about it; he should not even assume that his colleagues on the Executive are as fully conversant with it as he is.

He must assume therefore that all members of the Legislature which he is addressing would like to be informed, not only as regards matters of principle, but as regards matters of detail. Therefore if an honourable member, whether of the Government or not, had not known of the issue, and had only heard the particular Minister's speech for the first time, that speech should be sufficient to enable the member to contribute to the debate in a sensible manner.

That is not the case in this House, and it is certainly not the case today. Any member who had not had any knowledge of the circumstances of this matter would not have gained from the Minister's speech what the Government's policy is as set out in this Bill. Of course you can say: "Read the Bill and you will find out"; but if that were all the argument it would not be necessary for the Minister to introduce the Bill at all or to make a second reading speech.

I say that the method of introducing legislation in this House is sloppy and slap dash; and some tightening up has got to be done if Ministers are to

take their work seriously and to treat the House to the courtesy, and give them the information as fully and frankly as they desire and deserve.

Now, sir, if you examine the Objects and Reasons of this Bill you will notice that in the first paragraph the last sentence reads like this: "Government has therefore to make provision pending new concessions being granted, to carry on a passenger service." Mr. Speaker, we are asked as responsible members of a Legislature like this to consider a Bill which even according to the Objects and Reasons which precede it, is not a serious attempt on the part of the Government to do anything about a matter which they have on their hands. They tell us that the Bill is for the taking over of the bus service pending new concessions being granted. It is pure and unmitigated balderdash.

You cannot run a public transport service on a half and half method. If there are 13 or whatever number of bus Concessionaires who formerly had concessions, the Government must either take over the concessions entirely or not at all. The Government cannot take over some and leave the others to the uncertainty that prevails and expect to be able to answer their critics effectively when they say that the Government runs a service that is bound to be inefficient.

I wonder if hidden behind the Objects and Reasons of this Bill there is a not more undefined intention of putting up this screen called a Public Transport Board which will operate, maybe for several months, or for a shorter time, for us then to hear that it has been dissolved and that all the bus units operated by the Government have somehow found their way again into the hands of private enterprise.

3.45 p.m.

There are certain sections of this Bill which would be capable of such an interpretation; and I hope the Hon. Minister will take the opportunity to enlighten us on these points. I do not like the idea which exists on this matter, where the Minister gave in his remarks that it is Government's intention to run at least one concession. Have you heard anything more ridiculous? If what the Hon. Minister says is true and Government is going to run one concession, there is no need for this Bill, because all they would have to do is to let out all the concessions but one. They might feel it their duty to hold on to one concession to play about and experiment with, but I feel it would not be necessary to put us to all this trouble and inconvenience only to tell us that they are not serious in their legislative affairs; they are only trying to experiment. That is not good enough and this is why I speak as I do. I do wish to see more awareness on the part of the Minister.

There is one other criticism which I want to make before I attack the principle of this Bill. During all the debates which have taken place on this whole bus issue, some very damaging allegations were made, not necessarily directly, but most often by implication against the Bus Fares Committee appointed to investigate the claims of the Concessionaires. I think it would have been a good thing if the Government, which appointed that Committee, had seen fit to have defended it from some of the unjust attacks made upon it.

Without in any way going into the merits or demerits of the subject matter of the Committee, I think under the terms of reference which it had been set up, it produced a report which was obviously deserving of them. It is unfair for any member of this House to give the impression that the Com-

mittee ever said that the bus owners did not have proper records of their revenue and expenditure. The Committee at no time said that; but it has been said in this House quite erroneously that the Committee's report contained a stricture on the bus owners in that they had no books, that their profit and loss accounts were most inaccurate and it was difficult to recommend anything. It is to be emphasised that at no time did the Committee say that of the bus owners.

What the Committee actually said was that in the course of its enquiry: "We found ourselves at some disadvantage in that adequate statistical information was not available from any Concessionaires to enable us to make proper comparisons and reliable estimates. For example, important information such as number of passengers carried, mileage covered, and so on, was lacking in many cases. We recommend that concessionaires should be required in their own interest to keep full records of such details in the future."

The Committee said, "in their own interests" which means in the bus Concessionaires' own interests, not in the interests of this Committee to keep full records of such details in the future. The point therefore is that the Bus Fares Committee had never said either directly or by implication that the figures submitted on profit and loss were inadequate or absent. That could never be true because those people could never have run their businesses unless they had those figures; but with respect to the other information of a statistical nature which will enable not only the Committee but bus owners to calculate their own losses owing to the circumstances under which such losses occurred was missing. Therefore, I think an injustice was done to this Committee which had done its duty when it was accused of recommending something which it never recommended, and which should have been the duty of the Government which set up that Committee to defend that Committee from such unjust accusation.

Now, Mr. Speaker, I had hoped that in a Bill of this sort which has as its objects the setting up of a public corporation for transport, that the Hon. Minister of Communications would have taken time off and would have devoted some time to explaining to the House what is actually involved in the setting up of this public corporation; and what therefore, this legislature and the people of this island have got to look forward to when Government steps in and takes over for the purpose of running the enterprise which had formerly been a capitalist undertaking.

On this point I wish to emphasise that quite a lot of this information is bandied about in the nature of a public enterprise, and unfortunately the word nationalisation is so highly tinged and packed with emotional substance, that the realities of public enterprise are hidden in a mess of words and phrases.

There are some people who object to public ownership and public enterprise on principle; and such persons to justify their own objection to public enterprise tremble when they go to the Post Office and find that they are detained more than two minutes to purchase a stamp; and they say if this is an example of what happens when Government is running anything, "God help us; I do not want it."

3.55 p.m.

There are other people who whenever they are conveniently able to rely on any sort of public service, prefer to do so. Take for instance the

necessity of having a regular supply of water; they prefer Government enterprise because they can get water as soon as they turn the tap.

Now those are two extreme views standing on both sides of the particular argument; but I must submit that those are off the mark. The point with public and private enterprise is not that one is public and the other is private; the real point is the purposes for which they exist, the drive and attraction they accomplish, the interest of persons for whom they are run, whether such interests are paramount or subordinate. Therefore in this respect the Government need not be afraid and need not appear to be timid merely because it is embarking on what is admittedly a half-way measure; merely because its critics will tell it that it is bound to be inefficient.

What makes an enterprise efficient or inefficient is not whether it is public or private; but whether who administers it does so in the interests of the people for whom it is administered, and whether the people administering it can obtain the co-operation and claim the respect and goodwill of their subordinates.

Honourable members will see in whose interest this public service is being run; therefore I do not take it for granted that because they wish to run a public passenger transport service such a service must be inefficient or must result in an economic loss. But this I do say: what they have got to understand is that since they have only chosen one of the several possible means of bringing enterprise and industries under the control of Government, equally they should see that the type of organisation and administration which goes with this form of public enterprise is carefully chosen.

Now it does not follow that all public enterprises can be run like the Post Office. That this is true is shown by the fact that we are not making this just a department under the Minister of Communications; but we are setting it up as a statutory Board; so we see the difference between this and the Post Office and this and the Waterworks Department. Therefore, I wish to impress upon the Government that the efficiency or otherwise of this Transport Board when they set it up, will rest on whether its personnel are particularly suitable to do the job.

I wonder for instance if Government has taken into account that the nature of a transport system is that you cannot direct it centrally. As it extends and expands a lot of decentralisation may be needed.

To choose an example which is more applicable to these institutions, you may find that in the case of one sort of public enterprise the best way to organise it is by what is called the unitary method; that is, by a Minister with the normal apparatus of the Civil Service technique, or you may organise it federally by splitting it up into various departments over the whole community making each department of the particular service a self-governing unit. All of that may be necessary.

When for instance, all the schools in this island have been built and all the housing estates have been established, there may possibly be such a shift that our transport system may have to be modified. The then Government may possibly find that the setup envisaged here might not suit such changes, and therefore it might have to reorganise the Transport Service even in the interest of the redistribution of the population and in the interest of the new geographical features obtaining then. So I am only pointing out to Government that it depends upon the kind of organisation that they give this particular form of private enterprise which may determine its

efficiency and which will tell them whether it is an economic possibility or not.

I was surprised to see that this particular Bill which, (its subject matter is a unit one) is modelled on the Natural Gas Corporation Act; there are two different sorts of enterprises. You may say that you have taken over the Gas Company in the sense that you are now manufacturing and distributing gas; and to a very narrow extent it would be true; but no one in his right senses could say that when the Government took over the Gas Company it was in as flourishing a condition as even the poorest of the bus companies. It was definitely not a going concern; in other words it was not an economic reality in the particular sense in which you might speak; therefore you have got to be very careful when you are lifting bits of legislation *en bloc* and packing them on. It shows an unwillingness on their part even to think of what is new. Obviously if they have modelled this bit of legislation on the Natural Gas Corporation Act, again it would appear as obviously it would, that their chief concern was to bring in legislation which was technically correct with all the clauses which are necessary when they are setting up public works.

In the matter of the Board which they are setting up, it never occurred to them that they are setting up something new. Quite obviously the modelling for this Bill need not be on the Natural Gas Corporation Act. You should have modelled it on something new and far removed from the particular project which you have in mind.

After I got this Bill last night, I took a lot of trouble to find out the nearest thing to it which they might have had in mind; it is the British Transport Act of 1947. I may say that that Act is no longer in force, because when the Conservatives came back into power they never denationalised steel; but they denationalised some part of the Transport Corporation because I saw some of the lorries when they were being offered for sale and anybody who wanted to buy could apply to the Minister of Transport.

4.05 p.m.

In 1947 Mr. Attlee's Government introduced and got passed this measure setting up the British Transport Commission. I think that if the Premier who is always in the U.K. had had the time, he would doubtlessly have armed himself with the information, and he would have been able to put such information at the disposal of the Minister of Communications. It would have been nice to see some of the provisions of that Act in this Bill, because while the circumstances might be different, yet the purposes of the Bill before us is the same as that of the Transport Act of 1942 of the U.K.

The purpose of the U.K. Act was to set up a Transport Commission the duties of which were to provide the following services: Railroad and inland transport; to look after the docks, and also they had charge of the hotels, particularly the railway hotels. The Commission was to consist of a Chairman and not less than four and not more than eight members. The authority of course, Mr. Speaker, for appointing that Commission was the Minister of Transport. The Minister's control, if you might call it that, was that he was empowered to give general directions to the Commission and about the industry generally, after consulting with them and with his Cabinet colleagues.

One interesting aspect of that Act of 1942 is that the parliamentary control was much more than ours is likely to be, even when we set up our Board. For one thing, we have no Question Time as yet as in the House of Commons; so that our control through questions on ministerial policy is likely to

be lacking, that is, until our rules are changed. There was also the provisions that annual reports of the Transport Commission had to be laid before the House of Commons, and they were debated. Therefore parliamentary control in the U.K. was exercised from week to week, almost from month to month, and certainly whenever possible reports were issued and a debate ensued on them.

The methods of financing (this is an important matter which I would like to touch on in respect of the Bill before us) the Transport Commission were laid down in that Act. In this Bill there is an attempt to do that; but no one who remember reading the relevant provisions of the Bill would understand what it is all about. That is why I regret that the Minister was not fuller in his explanations; because those are the things which hon. members should know. Unless you know them you cannot discuss this matter with any seriousness of purpose.

The means of financing the Commission was that the Commission was empowered to issue its own stock against a Treasury guarantee, and was also permitted to undertake a certain amount of short term borrowing from the banks. Now the most interesting feature of it is the administration. Here you get an example of what I mean when I say that in some public enterprises, the method of administration may differ from the ordinary Civil Service method.

Let us admit that the U.K. is a big country and that Barbados is not. What I am trying to get at is that in administering this proposed transport system, a lot more is involved than just running buses and collecting fares. Accountancy and book-keeping is an aspect by itself.

There is another aspect too. Government is now going to find itself in the position of being an importer not only of buses, but of engines, spare parts, tyres and what-not; and that aspect has got to be entirely separate from the administrative department. A person who is qualified to serve on and advise the Board from the accountancy point of view will not precisely be the sort of person who can advise on what type or types of buses should be imported, or whether Type A would be more serviceable than Type B considering the prevailing state of the roads and the increase in traffic expected in the next five years.

In setting up this organisation the Government has got to bear in mind the importance of having an organisation which will render the most efficient service and which will give the profit which the Government should have in order to silence its critics.

Now, Mr. Speaker, I turn aside from questions of administrations to questions of finance. I said earlier that the relevant sections of this Bill do not precisely tell us, nor did the speech of the Minister indicate to us how this corporation is going to be financed. But it is clear that when this Bill is passed by the House and by the Other Place, and when it receives the Royal Assent and becomes law, the organisation will be set up as an organisation without a cent to its name. It will have no credit, and will therefore not have that degree of economic reality which a public board like this should have. I had hoped, therefore, that the Minister would have told us that the Transport Board would be in a position to buy its buses from the Concessionaires. It may be that that is what will happen, but what I gathered from his remarks is that it is Government's intention to come to an agreement with the bus Concessionaires about their buses, buy them over and then hand over those units to the Transport Board.

4.15 p.m.

Now, what I would like to know is this: the other night the hon. senior member for St. George gave it

as his opinion (and he was very emphatic about it) that this whole transaction is going to cost Government something like \$576,000; it may be more or less. Of course, you have to add to that possibly the \$30,000 which we are voting now because this is only lent, I do not know to whom; possibly the Executive Committee or in all probability to miscellaneous persons more so than to Miscellaneous Services.

I do not know whether in addition to the actual purchase of the buses, Government has got to buy the goodwill of the individuals. If that is the case, you will also have to pay for that; and you will probably find that the bill will be running into three-quarters million dollars. Are they going to come to the House and ask for that just like that? Is it going to come out of the General Revenue? I am sorry that the Minister of Finance is not in his place, because it would be interesting for him to tell us what he is going to do about it. Is the purchase money going to come out of General Revenue? How are you going to pay the bus owners? Have you reached an agreement with them to pay a certain percentage to them and then issue stock for the balance at the normal rates of interest?

Suppose you attempt to do that and they tell you that they want all their money in their hands at one time. Are you justified in taking such a large sum from the General Revenue without telling us how the Transport Board is going to pay it back, or will you tell us that you want the Transport Board to lend the three-quarter million dollars which they will borrow from you on such terms and on which they will pay back within such and such a time.

With respect to the financing, may I just give a hint? In none of their funds of Government invested abroad, do they get more than 2½%; Government certainly does not get more than that from the Revenue Equalisation Fund, and I am equally certain that they do not get more from those funds of the Savings Bank invested abroad. I therefore am wondering whether one of the methods of financing this Transport Board might not be to get the permission of these various Boards and Authorities to use their money so that Government would be in the position to give those people more than what they are getting.

We have already said in this House that part of the trouble with these overseas investments is that we do not get enough returns from them; and what is more is, Government is tying up money outside which can be of more profit by investing it in the island.

Sir, here is a chance to prove the faith in the Board which they are setting up, especially if they can persuade the Manager of the Savings Bank and themselves, through the Financial Secretary, that public transport in this island is a fit and proper service for the investment of certain funds.

Take for instance the Price Stabilisation Fund. It is true, Mr. Speaker, that the position of the Government with respect to this Sugar Fund is that of a trustee. We know that, and therefore we cannot expect Government to use this fund just by saying they want to do so. But the Price Stabilisation Fund stands at over \$6,000,000, probably 6½ million dollars and so far as I know it is not invested.

Would it not be a good thing if permission were granted to use sums of that sum to provide a working capital for the Transport Board? Knowing members of the Government as I do, I am quite sure that they would have come and told us that since we have already voted \$30,000 to provide working capital,

we have agreed to the taking of the whole of this purchase money from the General Revenue. That is what I think is going to happen.

However, I am saying that there should be a distinct method of financing this Board and it ought to be set out quite clearly. The Board should have in its possession all that is necessary for the purchasing of these units and for working capital. As I understand it, the method of Government is the other way. They are buying the buses and handing them over to the Board.

I see under Section 10 sub-section (2) that, "In framing programmes of reorganisation or development involving substantial outlay on capital account, the Board shall act on lines settled from time to time with the approval of the Governor-in-Executive Committee."

4.25 p.m.

This is pure nonsense and I will tell you why. When you set up a public corporation engaging in trade like this, it must have a fairly free hand in running its own finances. The controls which you exercise over it in handling its money are subject to Ministerial supervision, it is true, and to that extent the Governor-in-Executive Committee may be said to mean Ministerial supervision. But what is the outlay that is substantial? If the Act just says: "involving substantial outlay" they should act only on lines suitable in consultation with the Governor-in-Executive Committee.

This Corporation may find itself in a position where it has to do a lot of short-time borrowing. It may find itself even under the terms of this Act buying and selling at a rate and involving in transactions large enough, but not necessarily good enough; and it may be that since you are seeking to run it on business lines, it will be conceded that sudden reference or too frequent reference to the Governor-in-Executive Committee may bring on dangers which may not be there if the responsible officers could act on issues immediately as they happen.

Of course we are all in the dark in this matter because the Minister of Communications has not told us anything in speaking on this measure. But I hope that if the Corporation has to resort to any borrowing, that all such loans will be raised within the area. In this connection, too, I should like to see that whatever recommendations are made by the the Regional Economic Committee with respect to external borrowing and the raising of loans by public bodies in various territories, that the recommendations be followed up in such a way that investments shall be made inside and not outside.

Then, too, Mr. Speaker, I should like to add my own protest to one surprisingly enough made by the honourable junior member for St. Joseph, with respect to the intended, or perhaps not intended but implied affront on the dignity of the members of this House by having it said that no member of the House shall be a member of the proposed Transport Board. I am glad that the honourable member has raised the question; because I feel very strongly although it is a matter which could be dealt with in Committee much more conveniently.

Now, Mr. Speaker, I have spoken at length on this matter because, first of all, I felt it my duty outline, however poorly, some of the ideas that were running through the minds of members of my Party when it contemplated this matter; some of the things we should like to see in a public corporation, since we

are Socialists, and since we support the idea of public nationalisation in the interests of the community. That I have not been able to speak as authoritatively as I should wish was due, in part, to the fact that I had not received a copy of this Bill until very late. I therefore did not have time to study all its implications. I have tried, however, to draw the attention of honourable members to the two most important aspects of this matter: that of the administration and the financing of it.

I pointed out that they should be careful not to run this new public Board on the normal Civil Service lines because it is a service rather than a Department and different in its nature and functions from most things which are dealt with by the Civil Service. I have tried to point out that its efficiency could be best guaranteed if they gave it a form or organisation and administration more suited to its needs; and they need not, therefore, be scared that it is going to be inefficient if they gave to it what it should have to make it run smoothly.

With respect to the financing of it, I could not go through it as fully as I would have liked because the Minister gave us no clue. But I think I have pointed out the undesirability of financing this project out of the General Revenue and that recourse should be had to funds which are now lying idle, and the use of which only the permission of the people who control them can answer for; also that the corporation should be encouraged to do short-term borrowing within the area and that its accounting methods should be as accurate as possible; and that all the statistical information which the Bus Fares Committee lamented as not being present in the affairs of the former owners should be present in the affairs and methods of the new public Transport Board.

I have much more to say; but that will be said when we go into Committee were doubtlessly, we shall all pay more attention to those matters of detail. Some amendments, I think, will be made from this side of the House and arguments will be heard on it.

Before I sit down, I should like to emphasise the following points: this Government is not playing straight with the people of this island if it gives them the impression that it is only taking over these buses to hand them over to different and new Concessionaires after a few days' interval. Therefore, I insist that the Minister of Communications should give a categorical assurance to this House as to whether or not they are doing it until a subsequent Legislature repeals this Act. I cannot emphasise that too clearly.

There is a feeling abroad that a very dishonourable, unworthy game is being played in this matter, and that in a few minutes from now the buses are going to be given over to a new and entirely novel set of Concessionaires; therefore, the taking over of them by the Government is now just a bluff until new Concessionaires are ready to take over.
4.35 p.m.

I am going to support this Bill, but not as any temporary measure. I am not going to vote against it because it is in accordance with my principles; and for precisely the same reasons that I refused to vote for the Resolution the other night. I do not like things done in a piecemeal manner, but the Government has a chance to allay the suspicions of honourable members one way or another; and I hope that the Minister will take the opportunity before the motion for the second reading is passed, to say categorically that the Government is really going to

run this business, until the Legislature say they do not want the Government to run it any longer; and that it is in fact their intention not to turn it over to new Concessionaires within a few months. This is a very important matter, and one that cannot just be left like that. I hope that it will be said and said clearly what the intention of the Government is.

A third point is that if the Minister wishes to convince the public that he really means business and that it is really the intention of the Government to operate a passenger transport service, the best way in which he can give that assurance is to seek an agreement with those Concessionaires who are now outside this arrangement and to get them to come in; because he must know that he cannot operate a nationalised public service with half in and half out; because certain methods of operation which the Board might find it necessary to use might run it into the fiercest competition with, or might offer the fiercest competition to, those Concessionaires outside the arrangement and put either side at a disadvantage.

Therefore if he is serious and if he is not fooling us, he should bring them all in and buy them out. But if he says it is only an experiment; that he is taking over eight and leaving the others outside, I will personally feel that it is only a matter of time before the eight are back out. I do not like to be made a fool of. A very categorical assurance must be given; (and that assurance in addition to being a verbal one which I would expect the Minister to give) the assurance that I would best like to hear is one that the public corporation will have a chance to come to an agreement with the Concessionaires who are outside and get them to come within this circle so that the Government will in truth and in fact be operating the public transport.

If the Minister can give us the assurance that he is interested in running the whole thing, I will feel a little more settled on that point; but if the Minister evades the issue, or if he cannot tell us that the Government looks forward to owning the buses of the Concessionaires who are not in the agreement, the Bill, although it might receive the support of honourable members, would still for that reason be eye wash.

Mr. BRANCKER. Mr. Speaker, I propose to be brief on this occasion (unlike some other honourable members) because I regard this Bill as a move in the direction of nationalisation, and I am therefore giving this Bill my support.

Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.

I must complain, however, (as I did last Tuesday in respect of the Addendum to the Resolution which was before us) as to the wording today in the Objects and Reasons of this Bill. Before I go further, I do gather that there is a general desire that there should be an adjournment at this stage? I think that there is a feeling among honourable members that this is an appropriate time for an adjournment, and I move that the House do now adjourn for half an hour.

Hon. Dr. H. G. H. CUMMINS: I beg to second that.

ADJOURNMENT

The question was put and agreed to without division, and Mr. DEPUTY SPEAKER adjourned the House accordingly.
4.45 p.m.

On reassembling.

TRANSPORT BOARD BILL—Cont'd

Mr. SPEAKER: On the adjournment, the hon. senior member for St. Lucy was addressing the Chair.

Mr. BRANCKER: Yes, Mr. Speaker, as I was saying, the wording of the Objects and Reasons is unfortunate, and it is somewhat difficult to follow because assuming that this is legislation for nationalisation, (which legislation of course has my whole-hearted and unbounded support), I am perturbed to read in the first paragraph: "After negotiations with the persons or bodies who operated concessions for the carriage of passengers by motor omnibuses several of the Concessionaires were unable to accept new concessions. Government has therefore to make provision, pending new concessions being granted, to carry on a passenger transport service."

Earlier this week, in the Addendum to the \$30,000 Resolution, it was stated that the buses of those owners who no longer wished to renew their concessionaire agreement would be taken over. I do not know if in the interval between the writing of these two paragraphs it is the conclusion of those responsible that the Concessionaires who are unable to accept new concessions are being no longer wishful of renewing their concessions. But what I am particularly drawing to your attention is this: "Government has therefore to make provision, pending new concessions being granted, to carry on a passenger transport service."

Sir, what does that really mean? I am hoping before this question is put, some considerable light would be shed on this remark: "pending new concessions being granted." I trust the acoustics of this House are adequate enough for the Hon. Minister to hear this sentence if no other. It does leave the whole thing in an element of doubt. Really, sir, one would feel a deep sense of frustration if within a short period of time one is told we can now abolish this new Transport Board because new concessions have been granted.

I wish to tell you that there is unbounded enthusiasm amongst the employees of the companies whose concessions are alleged not to have been renewed, at the prospects of being taken over by Government. Those people whom I have come across, (many transport workers and others) are saying "We will be Government servants so we can look forward to pensions; we can look forward to shorter working hours. There will be three shifts then instead of two now. We will be weekly servants and not day to day employees; as well as we can get sick leave on a medical certificate."

I can tell you that the employees of those concessions who have not been signed, are unbounded in their delight at the prospects of what is going to take place on the 25th of this month, when they will become Government servants. It will be a terrible experience if after that date, they are told: "We have decided to grant new concessions to free enterprise." That would mean a return to the conditions which almost border on slavery.

Lastly, sir, I am looking forward to hearing the Hon. Minister of Communications giving us a clarification of this clause. I will ask him to make it as plain as A, B, C. Do not talk over our heads; put it in the simplest possible language so that there would not be any misunderstanding as to what is meant by the expression: "pending new concessions being granted."

Make no mistake about it, if the Government starts off running certain concessions, the employees

of the Concessionaires are going to be after those people to give up their concessions and let the Government take them over, because they would want the happy conditions of service of those people who are employed by the Government. It is going to be a rather peculiar thing. You are starting off with some of your transport being run as a Government department which means that you are nationalising some while others are remaining out. I do not expect that there would be any length of time before the others will come in.

We know what is free enterprise; we know what is put up with under the yoke of free enterprise. You know that there is absolute insecurity of tenure under free enterprise and the flimsiest of excuse causes people to be dismissed. You, Mr. Speaker, know that better than many people, therefore you can rest assured if the Government takes over some of these concessions and starts to run them, the majority of the others one by one, are going to fall into line because the force of public opinion is satisfied that the Government-controlled service would be better, and the employees being happier in their new service will cause the few remaining people outside to fall into line.

Sir, only when we go into Committee on this Bill will I make any specific remark about the individual clauses but I am going to say this now: it would be interesting to learn the reason for disqualifying a member of the Other Place and of this House from being a member of the Transport Board. At least that clause disqualifies the Hon. Mr. K. R. Hunte; although it does not exclude whom rumour says would be Chairman of that Board, that is Mr. L. A. Chase. However, I will not refer to rumour however strong it is now.

For purposes of consideration, this Bill, Mr. Speaker, should have been prepared and put in our hands on Tuesday last the latest. We have five officers in the Crown Law Officers' Department which we in the Legal profession believe it overstuffed. Really there are only four now, but in the recent past, there were five. We have the Acting Attorney General, the Acting Solicitor General, the Acting Assistant to the Attorney General and Legal Draftsman, and the Acting Legal Draftsman. I consider that these four officers are enough. Unless they cannot find room to turn around in their office; unless they are like sardines in a tin, there is no excuse for this Bill not having been prepared before.
5.30 p.m.

We could have stayed until 6 o'clock on Wednesday morning and concluded this issue without having to come back at it again this afternoon. We are willing to be over-worked; and Crown Law Officers must be willing to do an honest day's work for an honest day's pay. They are not under-paid.

Because I wish for nationalisation, I give this Bill my unqualified support; but I trust that the Government has enough confidence in itself that it can carry through with nationalisation of this public utility successfully.

I would not recommend putting in charge any one who has failed at Vieux Fort. We do not want any excuse for putting it back into the hands of private enterprise. There is a sufficient number of successful men who could be put in charge of this corporation and who would be able to make it pay. Once you do that you are making it beyond dispute that this is one of the essentials, in fact one of the indispensable public services; and once it pays its way that is good enough.

There is no reason why it cannot pay its way because an omnibus is run on petrol and oil; essential commodities, which to the Government will be imported duty free. With Government in full control and with the necessary influence (if you are not looking out to make profits but are just keeping your head up) there is a possibility of even being able to reduce bus fares, considering how little the cost of petrol would be to Government.

Mr. Speaker, I am supporting this Bill in the belief that it is best to introduce nationalisation practically in every sphere of industry in this colony.

Mr. VAUGHAN: Since everyone more or less who has spoken regrets the same thing, that is, the limitations of this Bill as will be seen from such frequent quotations as "pending concessions" I will repeat what I said last Tuesday. Despite the Government's profession of socialism and perhaps genuine profession of socialism, yet they have got themselves caught in a socialist undertaking before they were actually ready for it; that is what has happened. The transport emergency has forced the nationalisation of public transport upon them; so that if limitations have appeared to be in the Bill one can understand, although one may not be able to appreciate. It is a question of being caught before they were ideologically ready.

Well, I have a few recommendations to make in connection with this Bill. One is that the Board which is about to be set up called the Transport Board is in fact a Board of Directors. It is a business directorate created by Government for the management of the public transport of the island or parts of the island; that is what it is.

Like most Boards it is an administrative body: and I would advise the Government to see and appoint to this Directorate certain business men of the community and not necessarily the biggest business man in the community. You will have some of them on it but I must emphasize this: let them have a medium sized man and a small business man who is recognised and appreciated in the community for his business acumen and his integrity. Let them look for a man like that. I can think of one right now, although I will not call any names. But let them desist from appointing a Directorate of 'muck-a-mucks.' Do not let them have to face the charge that we so constantly hear from the honourable senior member for St. George.

I think his example was rather unfortunate, because it is unfortunately true that some small business men would not have certain experience and consequently he would not have that business acumen nor experience to bring that advice to the affairs which is necessary for a Directorate of this importance. Therefore it is not through smallness that you bring a man in, but it is through the business advice which he is capable of giving to the Directorate; and such advice may be found in a man who controls business, whether small or large.

Now, when it comes to the payment for the buses Government has to be careful; because there may be abroad a feeling, even with the Concessionaires themselves, that because Government is buying, Government must pay the biggest possible price that could be demanded. That is absurd. It must be a price fair and reasonable to the owners of the buses.

Do not think for one moment that because Government is buying the buses that it is to be fleeced. I must emphasise that they must be fair to the sellers; but there need not be anything else [A VOICE: Just without being generous.] An hon-

ourable member says: "just without being generous;" that is an apt phrase.

An honourable member has quite rightly referred to the bus staff that will be employed by the Transport Board. I do not believe that in the community at present there is a more exploited class of workmen, both in hours of work and wages, than these. The busmen will work like slaves and their remuneration is out of proportion to their importance in the community. They are not at present adequately remunerated for the work which they do. The hours of some of them are excruciatingly and cruelly long.

I have known some of them to work from 6 a.m. to 6 p.m. any day of the month; but we must also remember that to these people, too, we must be fair in the hours and wages which they will get. Because it is Government, it must not be thought that the bus conductors must be paid out of all proportion to that of other conductors within the area.

Government must get a knowledge as to what are the prevailing wages in Trinidad and British Guiana; the cost of living in these countries has also to be compared with that here; and then they will be able to come to what would be regarded as a fair rate of wages for local conductors and drivers. For instance, you cannot pay conductors at a higher rate than that at which they would be paid in Jamaica.

It is a common belief that whatever Government controls must be run at a loss. As the honourable junior member for St. Lucy has said, that is not necessarily true; it all depends on the efficiency of the personnel who administers the concern which Government has undertaken. Because something fails in Trinidad, that is no reason why it should fail here. They boast of two different traditions. We know the term "Bu-ball" is a popular term in Trinidad; it appears at least to give the the impression to the outside world that "Bu-ball" is a tradition.

Although we should not pat ourselves on the back as having a more exceptionally honest Civil Service than anywhere else, I would say that there is a tradition which prevails in this country among all classes and even among Government servants that that does not prevail anywhere else. We must remember that the failure of some institutions abroad is largely due to the lack of that tradition of honesty which prevails in Barbados. So it is not on all-fours to say that because they fail there, we will fail here. It is plain that sooner or later Government will have to lower the profit which they are carrying on the service and they will have to purchase new buses.

I was listening to the speech of the honourable senior member for St. George and although he said a lot of irrelevant things, which of course, he cannot help for, it being part of his policy, yet I must say he said some things from which I could gather some substance. One was that the large type of bus is now going out of fashion as far as public transport is concerned; that technological research has discovered that it is cheaper to run the new type of small bus than it is to run these big buses.

5.45 p.m.

There is every possibility that it is true, but I have not gone into it so far. What I can say is that many technicians have discovered that this bigness is not cheaper, and that instead of having one large unit, several small units can be more economical. From every angle, I would advise the use of new small buses. They should be put on the short routes instead of the large ones. I also think that these small modern buses as described by the hon. member,

would be more suitable to our road system than those large lumbering buses.

As far as what the hon. senior member for St. Lucy said on the enthusiasm of the bus staff in accepting the proposals for a Government Transport Service, I would like to say that it is not only those people who are enthusiastic. I was amazed at the congratulations I personally received from most humble people on the stand I took in this issue. The people said this to me: "Let the Government take away the buses from those people." I can say that they have endorsed the stand I took, so the enthusiasm is not confined to the bus staff. It is the general opinion of people living in the country that the Government is saving them from an additional rise in the cost of living by taking over the buses.

As you can rightly see by the hesitancy expressed in some quarters, even in the minds of some members of the Government, there is some fear felt that this taking over is going to be an extraordinary expense on the Government, but that fear is not felt by me at all. I do not see why with the transport service efficiently run it should cost the Government any substantial amount. If it results in the transport service being subsidised, in truth and reality, I do think that the benefits would outweigh the amount spent on it.

I will however warn the Government over its hesitancy and its suggesting that there is a possibility that new Concessionaires may come in later on and relieve Government of its responsibility; whatever Government does in the matter, it should never undertake to do anything that cannot be politically justified. A lot of things may be economically justified but not politically justified. Let Government never forget that whatever action it takes, it must always be politically justifiable. To give an explanation of what I mean by that, I have heard that Government is only taking over these buses now in order to turn the whole transport system over later on to one Concessionaire. In other words, it will be creating a private monopoly of transport. If that is so, it can never be politically justifiable. Let Government avoid that like it would avoid the plague. Although members of the Government might see that it will be economically justifiable, it will not be politically justifiable.

Sir, I personally welcome this Bill even with this hesitancy, because I am not yet convinced that the Government is undertaking anything that it cannot in the not too distant future justify to the hilt. That Government has to undertake it, there is no alternative. It is a question of the people of the island having to move to and fro by this mode of transport; and the Concessionaires who were doing that job have given Government an ultimatum that they will not be doing it after the 24th instant. Since Government in the people's interest has to do this, let Government do it without fear.

Hon. M. E. COX: Mr. Speaker, again I will be very brief in replying to remarks by honourable members because as I have said already, and will say again that this matter has been thoroughly discussed in this House last week. Honourable members know well the stand which Government has taken on it.

The honourable junior member for Christ Church has raised two or three points which I consider of some importance; one is the question with respect to providing pensions for these employees. I think he knows or at least should know that if you establish a corporation, the corporation is vested with the authority of providing pension.

The honourable member also said that he regretted that at our present financial stage we would have to take over and run these vehicles; and he suggested that we should have either increased bus fares or the bus owners should have been given a higher subsidy. Well, I think that was answered by the honourable junior member for St. John; because, as he pointed out, I would say again and again despite the fact that the honourable junior member for St. Lucy read part of the recommendation of the Committee, that the Committee did not satisfy the Government nor the public that an increase of fares was justifiable.

As you know, the Committee based its argument upon the fact that the bus fares which had been fixed in 1939 had not been changed since then. The Committee then went on to compare the cost of units and accessories in that day as compared with today; but as I have said already, that is no argument because years ago when roads were very bad in this island; there was no road policy or programme and as a result springs were broken momentarily, the life of your tyres was very short.

Another thing which should have been considered was that the earning capacity of the public was at a very low ebb; hence the majority of people in those days whereas the reverse is the case. Today, the same kind of tyres that you bought in those days give you ten times the mileage of those in 1939. The roads are so good today that the life of the springs of a motor vehicle can be multiplied by ten; and where the passengers are concerned, you can multiply them by 100% or 200%.

No one except the bus owners, is satisfied that the recommendation for giving an increase is justifiable. As was pointed out, the Committee made it clear that they were giving the increase with the understanding that the bus Concessionaires were prepared to carry out improvements in their service.

The Committee summarised the points as follows:—

- (a) provision of an adequate number of buses;
- (b) increase in frequency of services, providing for —
 - (i) additional buses at peak hours; and
 - later services on country routes on week days.
- (c) gradual improvements in types of buses, providing among other things for improved accommodation for the carriage of parcels and packages.

The Committee also recommended that adequate transport facilities should be provided for school children in the new concessions, and that the Concessionaires should be required to keep certain basic statistics. The Committee stipulated that legislation for the effective protection of bus Concessionaires from the operation of "pirate" services on their routes should be introduced and passed by the Legislature.

So, sir, when the honourable junior member for Christ Church suggests an increase in bus fares, there is absolutely no justification for doing so; and while the honourable member can use his car and while his children can be driven to and from school day after day by his car, we on this other side of the table have to consider the position of the thousands of children whose parents are not in a position to send them to school by car, and whose only means of transportation is by bus.

I have already said that I have no intention of agreeing to any increase in bus fares; and as the Government has decided, subject to the approval of the Legislature, we would give a rebate of 15% on gasoline.

6.00 p.m.

The honourable junior member for Christ Church will also remember that the counter proposal which the bus owners put up, would involve the Government in a financial undertaking to the tune of approximately \$310,000 per annum. Their proposal was that they would renew their concession for three years with the understanding that we would give them the 50% rebate on gasoline. You can understand that that would be impossible. And in addition to this the Government to pay any increased wages recommended by the Labour Commissioner.

Those two points which he made about giving an increase or subsidy cannot bear the light of argument, in view of the fact that the Committee said quite emphatically that they found it very difficult: "To make proper comparisons and reliable estimates" for the simple reason. "That adequate statistical information was not available from many Concessionaires." I should like to say here that there were only two cases in which those statistics were produced; two out of fourteen. As a matter of fact the twelve cancelled out the other two; that is the position.

The honourable junior member for St. Lucy began his speech by saying that I have failed, and that he thought it discourteous not to be told 48 hours ago when we were discussing the Resolution for \$30,000 that the Government was prepared to establish this corporation. I would not say that he has wilfully misled the House nor that he has lied; what I would say is that he must have been sleeping or he would have heard when I made that statement relative to the establishment of a corporation.

That point was put to me by the honourable junior member for St. Peter. He asked positively whether the Government intended to run this Department as a corporation as is done in the London Transport Service. I replied by telling him that it was the intention of Government if it reached such a point, to run this transport service as a corporation. Having made that statement it was logical to conclude that in the process of time a Bill to establish that corporation was coming to the House.

There is one other point I should like to reply to now: (and it is the statement which has been too often made by honourable members): that we were not playing a straight game; and that we were taking over these buses now to hand them back later to the Concessionaires. On every occasion when we spoke on this question, we made it clear that it is the Government's intention that if any Concessionaires (past or present) intended to run a service or to apply for the service we would give it to them. I said it here again this afternoon; and I think our position has been made crystal clear.

There is no question of playing any game. To talk about not playing a straight game can only be applicable to the hon. member who made the allegation. The honourable senior member for St. Lucy enquired as to whether the Government intended to approach the question of nationalisation in a bold manner; and as regards that, I say again that we have decided that if Concessionaires should come forward, the Government is willing at least to give the rights to those Concessionaires under the terms to be agreed to between the Concessionaires and the Government.

No concessions are signed at present and we have heard of no new concessions whether by the Corporation or by anybody else. Concessions ended on the 28th February and they have to be renewed; therefore there are no concessions at the moment.

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

Hon. M. E. COX: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

Hon. C. E. TALMA: I beg to second that.

The question that His Honour do now leave the Chair and the House go into Committee on this Bill was put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair and the House went into Committee Mr. SMITH being in the Chair.

Clause 1 was called. It reads as follows:—

"This Act may be cited as the Transport Board Act, 1955."

Hon. M. E. COX: I beg to move that Clause 1 stand part of the Bill.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: It is unusual for Clause 1 to be discussed, but I am asking what is the position now inasmuch as we have a Transport Board and a Highways and Transport Department.

Hon. M. E. COX: They will function as two separate Boards. [Hon. G. H. ADAMS: It is not a Board at all; it is a Department].

The question that Clause 1 stand part of the Bill was put and resolved in the affirmative without division.

Clause 2 was called. It reads as follows:—

2. (1) In this Act, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them—

"Board" means the Transport Board established under the provisions of this Act;

"passenger road transport service" means a service of motor vehicles for the conveyance of passengers.

(3) Except in so far as the context otherwise requires, expressions used in this Act have the same meanings as in the Motor Vehicles and Road Traffic Act, 1937.

(3) Except in so far as the context otherwise requires any reference in this Act to any other enactment shall be construed as a reference to that enactment, as amended, extended or applied by or under any other enactment, including this Act.

Hon. M. E. COX: I beg to move that Clause 2 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, there is a definition in subclause 1 of this clause which reads as follows:—

"Board" means the Transport Board established under the provisions of this Act."

I have heard since we have passed Clause 1 that there is already in existence an Advisory Board viz The Transport Board; but when you come down to subsection one of Clause 3 you read in parenthesis the following; "in this Act referred to as the Board." and you have the words "The Board" in inverted commas. I have been trying to find out if there is anything similar to that in the Natural Gas Corporation Act. That Act says "Corporation", nowhere else does it refer to anything as "the Corporation". I am wondering if we are going to have trouble with that. It appears to me a little conflicting.

Hon. M. E. COX: The question.

Mr. LEWIS: The honourable member can ask for the question; it does not concern me. I have just brought it to his attention; if he feels it is O.K. it is O.K.

Hon. M. E. COX: Mr. Chairman, that point has been raised; but the Crown Law Officer feels that it is in Order.

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

Clause 3 was called. It reads as follows:—

3. (1) For the purposes of this Act, there shall be established a public authority to be called the Transport Board (in this Act referred to as "the Board").

(2) The Board shall be a body corporate with perpetual succession and shall have power to acquire, hold and dispose of land for the purposes of the functions of the Board.

Hon. M. E. COX: I beg to move that Clause 3 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, again I am asking the honourable member whether this is all right. In the third line of sub-clause 2 of this Clause there appear these words: "for the purposes of the functions of the Board;" again, I hope that that is all right.

6.15 p.m.

Hon. M. E. COX: The same thing applies. Legal luminaries drafted this Bill, and they are satisfied that it will carry out the Government's policy.

The question that Clause 3 stand part of the Bill was put and agreed to.

Clause 4 of the Bill was called and agreed to.

Clause 5 was called.

Hon. M. E. COX moved, seconded by Hon. C. E. TALMA that Clause 5 stand part.

Mr. LEWIS: Mr. Chairman, I am referring to the sub-clause which says: "Every member of the Board shall hold and vacate his office in accordance with the terms of his appointment and shall on ceasing to be a member be eligible for re-appointment." I want to inquire how long will a member hold office. As far as I can see, it will be for life unless you remove him or her. I see nothing in the Bill saying how long a member will hold office. I take it that a member will remain as long as he serves you faithfully.

At the same time I want to raise the question about where the Board will get funds from. Honourable members will remember that the Natural Gas Corporation was set up in the first instance to sell gas. This is just as though the Government were setting up something to sell buses to the Concessionaires to carry passengers. When it came to the actual distribution of gas we had a Resolution so that they could take over certain concessions, liabilities etc. That was the Resolution that authorised the Natural Gas Corporation to take over the Gas Co. and establish a capital of a million dollars as far as I remember.

I notice that the people whom you are going to put on this Transport Board are to be paid some fees. I would like to know what funds will you pay them with. Will that come out of the bus fares too? As a matter of fact, if I am not mistaken there is something in the Bill which says that the Board will be able to buy over things and pay for them in the first instance out of the Treasury.

The Natural Gas Corporation may from time to time, with the approval of the Legislature, borrow money; but we did create a capital for them in the

Resolution to which I referred. The Transport Board may be well covered by a loan; but I would like to know at this stage where it will get capital from.

Hon. M. E. COX: I took it for granted when the House agreed to the Resolution last Tuesday that that would answer that question.

Mr. LEWIS: That is one of the difficulties in dealing with this Government; especially with the Minister of Communications. The Government comes in and says there is an emergency; they ask for a few dollars; there is nothing in the Resolution about the Corporation; but now we have to give it millions of dollars. That is smartness, and there is no necessity for smartness in dealing with this matter.

The Resolution for \$30,000 was nothing to do with this corporation business. When it was asked for, the Government never hinted that the corporation would be using it. We voted it under Miscellaneous Services.

Hon. M. E. COX: I took it for granted that the House would agree to the expenditure of this money; because in any case we have already agreed to the vote of \$30,000 as working capital. I took it for granted that we would agree that that \$30,000 would be passed on to the Organisation. I did not say that we have agreed to it already.

Mr. LEWIS: The honourable member did not say it that way; but I will accept that and still say that he is wrong. Somewhere in this Bill you should state that the capital of this corporation will be money voted to it by the Legislature from time to time; and we could be asked at the end of today's meeting to pass a Resolution of some kind saying that the \$30,000 already passed should come over to the corporation.

They say the corporation can go and borrow money. In any business you can have a capital of \$10 or \$15 and run a million-dollar business; if you have assets and if you have integrity you can go to the Manager of the Bank and he will lend you money. Capital need not include all the money you spend; but you must have some capital.

I am saying that there must be some slip up. You give the corporation authority to take over things, but you do not say how they are going to pay for them. In the first instance they will be paid for out of the Treasury, and I suppose that after that they will be paid for from any accumulation of money that might come to them. That is how Government fixes its business.

Will the corporation start off by borrowing, or have we given authority to the Executive to hand over the \$30,000? The terms and conditions of money coming out of the Treasury are fixed by no other branch of Legislature than this. When it comes to matters of finance we must have full information. Remember that you are changing the method by which money comes out of the Treasury, and you cannot be slack. Let us consult with the legal people. Let us insert the source of capital for this corporation.

This Bill is not even printed like how other Bills are printed. It does not have any ending. It does not say that it should be read three times and signed by the Speaker. Let us put in that the capital of the corporation shall be in the first instance the \$30,000 passed by Resolution, and any other money voted by the Legislature from time to time; we can still give the corporation power to borrow.

All the Vestries have to borrow money to carry on up to a certain point. I would like to know of a corporation running a business without capital. Do

you mean that they are going to run it purely on borrowed money?

6.25 p.m.

Mr. TUDOR: Mr. Chairman, I am very glad that the honourable junior member for the City made the points to the matter which I was trying to raise, but of which so vain were my efforts and so disinteresting my remarks were to the Government members that when the Minister got up to reply it appeared as if when he was about to answer the question he was stopped by the Premier.

Before we get to that, I should like to say something with respect to Clause 5, sub-section (1) which reads as follows:

"The Board shall consist of a Chairman and not more than four other members, all of whom shall be appointed by the Governor-in-Executive Committee."

It is true that it is undesirable to have unwieldy members on a Committee and certainly on Boards to conduct affairs like this, but I wish to ask the Minister if he does not think that a Board of five members is too small for the work which this Committee has to do.

This transport system has a diverse amount of activities in it. One of those persons is bound to be a Civil Servant of the office type; then at least one of them should also be familiar with the mechanics of transportation; and they should also be, I think, a person who understands all that there is to be known about the importing and buying of all that is necessary to keep these buses moving.

Here, when you have eliminated these three, you only leave two; and I was wondering if in view of the fact that this is such an important service, whether on the Governing Body of the Service there should not be a representative of the persons who work in the industry, such as the drivers and conductors, possibly through the Union in which they are organised and somebody else representing, so to speak, the interest of the travelling public.

I do not think that you can say that seven people can be unwieldy; or even nine; but certainly to confine such activity within the compass of five people is really surprising.

Mr. Chairman, in view of what I have said, I beg to move that Clause 5, subclause (1) be amended to read as follows:—

"The Board shall consist of a Chairman and not less than seven other members all of whom shall be appointed by the Governor-in-Executive Committee."

Mr. ALLDER: Mr. Chairman, I beg second that.

Hon. G. H. ADAMS: I would just like to point out that the Board has the power to co-opt. The House has already given sanction to the Governor-in-Executive Committee to expend \$30,000 for the running of this bus service, if necessary, for a limited time. We now come along and say that we are setting up this Board to run it, and are therefore asking you to agree to its establishment in order to run such service as may be necessary to be run.

By no stretch of the imagination can that \$30,000 be borrowed by the Board and put to any other purpose than for which you are creating it. The second point is: What is the sense of putting in here something to say that you should run some part of the transport service?

Now this is the answer to all critics of nationalisation. In three days' time I hope to convince the Colonial Office that we are hard put and we must get a loan. If that is the case, must we go as far as

to nationalise the whole of this transport service? The million dollars that it will take to do that, we are asking for now to do other things.

We do believe that Government should take care to see that the bus service is running efficiently; and one of the best ways to do that is to run part of it yourself and keep the accounts which you told everybody in the business that they should keep. In short it would not be the policy of the Government to give out 14 concessions, nor is it the policy of the Government to give out 14 concessions. The point I want to make is, if this Bill is passed as it is now there will be no difficulty in running this service.

6.35 p.m.

Government may discover that we have so little to buy when purchasing the buses and spares which we may come to run for ourselves, plus what we are collecting in fares, that it would be good enough and it would not be necessary to come to the Legislature for a further sum of money. I want to make this point clear again. As far as the Regulations and therefore the law now stands, everybody who applies for a concession must take over the buses of the old Concessionaires if they can agree on a price. When we agree with the old Concessionaires on a price, every new Concessionaire is bound to agree on that price. We have not got to look for money for buses which have to be turned over to new Concessionaires. I do not know if it is necessary to repeat that.

For the last three years Mr. Greene used to run a set of buses. I do not remember if these were taken over; but if a new man was taking over from him and he was willing to sell, that new man, by the terms of the concession would have to agree to take over the buses at the price agreed to between the two. In case they could not agree on the valuation, the Director could then (acting as the arbitrator, so to speak) say what the price should be, and the new Concessionaire is bound to take over at that price. That is the regulation.

For instance, any one who gets the concession now that the Lincoln Bus Company has not renewed its concession, would have to take over the Lincoln buses at the price which the arbitrator happens to decide on. Maybe the Marshal of the House can go outside and get copies of these Regulations by which the Concessionaires are bound. As soon as I sit down I will pass on my copy to the Hon. Leader of the Opposition who seems to be interested.

I say again that when it comes to the financial aspects of the matter, we may discover quite a number of people prepared to take the places of these eight Concessionaires who have not renewed their concessions. We have not got to find the money for those eight owners. The new Concessionaires has got to take over those buses in accordance with the Regulations.

These are the actual conditions which a Concessionaire signs: "subject to the provisions of paragraph (b) thereof the Concessionaire shall, if and when required by the Director, take over at a valuation to be agreed upon or determined as hereinafter stipulated, the motor omnibuses and equipment belonging to any persons hereinafter called present operators) who on the date of the signing of this Concession are operating motor omnibuses for which no Concession is granted provided that such motor omnibuses and equipment are certified by the Commissioner of Police as fit and for service."

(b) In the event of the Concessionaire and the present operators being unable to agree mutually as to the value of the motor omnibuses and equipment to be taken over the matter may be referred to

the Director assisted by such assessors as he may select; upon such reference the Director shall determine the valuation of the motor omnibuses and equipment to be taken over and such valuation shall be final and binding on the Concessionaire as the amount to be paid by him, provided that if the present operators do not accept the valuation of the Director the Concessionaire shall be free from any obligation to take over such motor omnibuses and equipment"

That cannot happen in this case because every motor omnibus and all equipment will be valued: the Agreement has to be made and if you cannot agree you have to go to arbitration. Two arbitrators are appointed, and if they disagree, in the usual way we appoint an umpire so that a valuation is bound to be made upon the present buses and equipment. Everybody who has applied, the six who have decided to continue operating as well as other people who may be interested, will be handed a copy of the Regulations which govern the Motor Vehicle and Transport Act.

It is absolutely impossible to say whether we shall have to come to the House for \$10,000 to buy buses. Everything will depend on the particular route; and the number of buses which the Government itself has to buy will depend on each route that it has to operate. Then will be time to come with the money Resolution for whatever will be necessary to use in operating a particular route; therefore, it is impossible for the time being to say within the next two or three weeks how much money the Government will ask the House to vote.

I repeat that the amount of capital which may be required I cannot tell; and it is not necessary to write it into this Act. If honourable members will listen carefully they will recall that this is based on the Natural Gas Corporation Act. It is not necessary to write into this Transport Bill such sums as may be voted from the Legislature from time to time. As things are now, there is no question of buying and selling.

Some honourable members may say that the Government cannot buy a bus for the purpose of resale. The Concessionaire has to take over at a price agreed on after valuation of the buses and equipment of the old Concessionaires. These Regulations, I think were made in November and presented in December, 1952. The form of the concession also appeared as a supplement to the *Official Gazette* of December, 1952.

6.45 p.m.

Mr. LEWIS: Mr. Chairman, what I was suggesting would assist the hon. member greatly. We have an Act called the Training Scheme Fund Act, 1953, which says

"There shall be established a Training Scheme Fund (hereinafter referred to as the Fund) to which the Accountant General shall credit—

- (a) all balances of money provided by the Legislature for the training of nurses in the United Kingdom and of Government officers unexpended on the 31st March 1953;
- (b) all moneys which may be provided from time to time by the Legislature for payment into the Fund."

I would put into the Act which we are now considering that the capital shall consist of the \$30,000 voted by the Legislature for the running of the buses. The hon. member is of the opinion that we have already voted money to give this corporation. It is

only because of our way of doing business that you can manipulate things like that. The \$30,000 was voted for the running of buses; not for giving to a corporation with a common seal.

Hon. G. H. ADAMS: I did not say anything about a gift. I said a loan. I wonder if the hon. member thinks that we have not examined this thing from every possible and impossible angle.

Mr. LEWIS: I am still saying that you should put into the Bill that the capital shall consist of money voted by the Legislature from time to time. When the Government lends fishermen money they charge them interest. Will you charge the corporation interest? The Government should remember that they have not gone into this thing calmly, but in an atmosphere of emergency. They have not set out to nationalise the bus service in cold blood, or from the ideological point of view.

I am saying that the Legislature is not yet yours. This can have nothing to do with any Deep Water Harbour negotiations. All that I am saying is that you should provide capital for this corporation as it is provided for other bodies in other Acts.

I fail to see how you can vote money to lend a corporation when they can get it in Broad Street or from C.D. & W. or C.D.C. Some day someone will take the Government into court to show that the Legislature is supreme. You cannot take money out of the Treasury like that and lend it to anyone. That is how I read the constitution of this country [Hon. G. H. ADAMS: Where did you read it?] I believe I have taken the trouble to read it with more understanding than the hon. member. I read it so as to understand it; but he read it so as to be able to fool anyone whose views and his differ.

You cannot take up money and hand over to the corporation when that money has been voted for gas and oil.

Anyhow I hope that the Minister of Communications will not forget the first question I asked: how long can a member stay on the board. You can say in the first instance for three months or something like that.

Mr. BARROW: Mr. Chairman, I do not think that the hon. senior member for St. Joseph should be allowed to get away with the remarks which he made. I consider every utterance of his as an insult to the intelligence of the members on this side of the table, although in his opinion members of course have no intelligence to be insulted.

We have already expressed our dissatisfaction at the manner in which the Resolution for \$30,000 was foisted upon this Chamber. It was only after promptings and statements made on this side of the House that two days ago the Minister of Communications admitted that the Government was under a binding legal agreement to take over buses, rolling stock and spare parts.

Hon. M. E. COX: I never said anything like that: and it is not true.

Mr. BARROW: The Official Reports are there. If the hon. senior member for St. Michael is saying that the Government is not under a legal obligation to take over these buses from the Concessionaires, I would like to ask the Minister why it is that he set up a committee under the chairmanship of the virtual Minister of Trade, Mr. K. R. Hunte, so as to value the buses, and why the Addendum to the \$30,000 Resolution should read: "Consequent on the Government's decision to take over and operate on a temporary basis the buses of those owners who no longer wish to renew their concession agreement, funds are needed to provide working capital etc."

If what I have said is not true, I offer this challenge to the Minister: on the 26th of August let the Minister refuse to take over the buses that he has already agreed to buy. I would like, sir, to ask the Minister if he did not make this statement on the Radio: "Government regarded the first mentioned proposals unacceptable inasmuch as they would involve the Government in a financial undertaking of the order of approximately \$310,000 per annum. Government has therefore decided to accept the Owners' offer to hand over their buses to the Government at prices to be agreed upon by arbitration."

If that is not a binding contract coming from the mouth of the Minister, then as the senior member for St. Joseph is so fond of expressing it, I did not understand the law books when I read them. [Hon. G. H. ADAMS: You certainly did not]. Up to now they are trying to fool the public that they are not under any obligation to take over the buses. In one breath they are saying nationalise the buses because it is in the interest of the community, and in the next breath they are saying they hope that someone will come along and take the buses off their hands.

6.55 p.m.

They have agreed to buy the hundred buses or so and it is no excuse for the senior member for St. Joseph to say he is going up to Colonial Office and he wants the Colonial Office to believe we are hard put despite the Equalisation Fund and the salaries which are paid out for the running of Ministerial system.

The whole secret about it is that they do not want to show that this may involve the taxpayers of this country into something approximating one million dollars. They want to fool the Colonial Office, and that is why he got up and asked us not to say what it would cost the taxpayers. It will embarrass him when he goes up to the Colonial Office.

As I have said, the hon. senior member for the City accused the Government seventeen times for dishonesty on this issue. When the hon. senior member for St. Joseph said: "I am going to London" his subconscious mind was speaking and that is the real reason they have not given this corporation any capital.

Here you are setting up a business and you are suggesting that the business will close down before you set it up. That is the whole secret of this matter. In everything that the Hon. Minister of Communications said, in the whole course of this unfortunate episode in the history of Barbados, he has disclosed this fear.

Do not mind what my colleague says about dawn of a new day and socialist ideology, because members of the Government made it clear that they are hoping against hope that they will not have to run the buses. But they will have to do something because the buck is passed back to them and it is too hot for them. They cannot tell the taxpayers how much the bill is going to be because they are going to Colonial Office. They say that they should charge depreciation to revenue. That is a new business procedure; obviously inspired by the hon. junior member for St. John. That shows you how hastily the business was gone into.

The hon. junior member for the City said he would like to know whether you are going to run these buses or not. The hon. junior member for St. Joseph is saying that the new Concessionaires will have to take over the buses at the prices fixed; but when you get the regulations, they disclose that if in the event of any buses changing from one Concessionaire to another, the matter will go to arbitra-

tion and if the Director of Highways and Transport so desires, he would call in assessors to assist them. That is an entirely different situation from the one which confronts the unfortunate taxpayer of Barbados today; because in the course of the arbitration that is being set up between the old Concessionaires and the Government, if the Government have these buses in their hands for eight days or eight years they will have to pay for them.

I must say that the members of this Government must have really taken the people at Colonial Office for a bigger bunch of fools than they; and it is because of the avowed policy of Colonial Office to allow people like this Government to feel that the people of Colonial Office are a bunch of fools by their sitting and asking them for information and listening to them and accepting what they have to say, when all the time they have all the answers to the questions that they put to them.

I want to say again, that statements which are made in this House, you never see appear in the *Official Gazette* nor in the reports in the debates of this House, because members of the Government feel that when the Colonial Office reads the debates, they will come across such statements and that is why we get the debates of this House expurgated. It is not satisfactory.

This Bill is for the purpose of setting up a public corporation. You must give it capital; you must say from where its funds must come. It is true that the Minister for Communications has the ability to spend the money voted for one purpose to another purpose; he knows what I am talking about as well as honourable members.

Hon. M. E. COX: Mr. Chairman, I must object to that statement. I do not spend any money; the only money which I spend is that which I draw out of the Treasury as salary. He is just lying on me.

Mr. BARROW: I am asking the honourable member to withdraw the remarks "He is just lying on me." I may remind him when he was spending money on the Spa Road, he said, \$80,000 was to be used under Head XXIV for widening curves and corners, and not for the very highways for which it was meant to be spent.

Hon. M. E. COX: I beg to withdraw that statement.

Mr. BARROW: Mr. Chairman, I am asking the honourable member to withdraw that remark.

Mr. CHAIRMAN: He has withdrawn it already.

Mr. BARROW: He is very quiet about it. I call that a misappropriation of public funds. That should not be done by anybody who is going up to Colonial Office cap in hand asking to give them more money.

You are voting \$30,000 to spend for two weeks. Multiply it by 26, and you will get \$780,000; and all that you have said is that they can use the surplus revenue to invest but not to pay back the poor taxpayer for the \$780,000 which he has to advance for this purpose. That could never be correct, and that amount has got nothing to do with the cost which they have to pay for rolling stocks and spare parts, and the Goodwill under Mr. Hunte's assessment.

Whence is all this money to come? If the taxpayer has to pay for it, why do you not tell him all of that? The Hon. Premier has said he is going up to tell the people of the Mother Country that we have no money to build the Deep Water Harbour. I am afraid that you do not have money to build the Deep Water Harbour but you will now have to nationalise these buses, which will cost you one

million dollars. Whence are you going to get that money?

Now the Ministers of Government are trying to enveigle the former bus owners into taking back their service. [A VOICE: Name one.] I do not have to name any because you know them. Why do the honourable senior member for St. Lucy and my colleague, (if I have one; I am the only member who does not have a colleague) come to the House and talk about nationalisation? And my colleague talks about the dawn of a new era. Of course, he gets emotional about these things.

Let me say that there is nothing in the attitude of the Government or in the Bill before us now which would induce anyone to believe that we are in the dawn of a new era, instead of being in an era of confusion and high taxation.

7.05 p.m.

Every other Bill to set up a corporate body especially one which will indulge in trade, every statute that we have had, has made it clear where the funds of the Corporation are to come from and what is to be done with the funds of the Corporation. Now as the hon. junior member for the City has pointed out, because we vote money to the Governor-in-Executive Committee, do not think that you can use Clause 15 or 16 to borrow money on loan or that you have authority from the Governor-in-Executive Committee to do so; do not think that at all. That power was not even in existence when that money (\$30,000) was voted; and that money was voted to the Governor-in-Executive Committee for 'two weeks' operation of the bus service.

Another feeling is going abroad in this country and it is this: that the old bus Concessionaires are being deprived of their buses, and compensation which would normally be arrived at will be lost; so that the Government of Barbados can be used as the pawn broker. That is the idea underlying this whole transaction. When you get down to I think sub-section 4 of Section 9, you will see that they can hand back the buses to the new Concessionaires, because there is that power in the Bill which is before us; and it is also implied in the contract which is before us; and it is also implied in the contract which is made by the bus Concessionaire and himself. He probably means that they will take over after today or after the 25th but never give back or pay back.

We are passing a Bill now without giving the Board funds, but at the same time we are giving it power to sell all these buses on whatever terms they might feel like. That is to say, if you should start paying 15 years from now, this Board will have to bear all of that; but we cannot say how much money the taxpayers will be called upon to give to the Board and that is something which we should know.

We set up a Development Board and they have not done a single thing. We are now setting up a Transport Board and are not giving them a cent; but you have given them the power to bank and borrow money; and the amount of debt which they can incur seems to be based on the amount of revenue lying down in the Treasury from time to time. This is entirely unsatisfactory; and the unsatisfactory manner in which the issue has been handled by the Minister of Communications does not leave a good taste in the mouths of honest persons; for the simple reason that there are so many questionable things going on behind the scene that one could never feel that the affairs of the colony are in good hands.

What I say is this: it should be made clear, as it has been done in the Natural Gas Corporation

Act and other similar Acts, exactly where the funds are going to come from; whether they are going to be voted by the Legislature or whether this is going to be a profit making concern or whether they will have to borrow money quite apart from the general provisions of Clauses 15 and 17 which state that they may borrow money; or whether there is going to be a temporary advance of \$1 million out of the public Treasury which will have to be paid back by the Board.

Do not tell us that because we have voted \$30,000 to the Governor-in-Executive Committee to pay wages and buy gasoline for two weeks until all likely business is fixed that we will have to be satisfied with that as a token vote. What will happen is this: ten or twenty thousand dollars will have to be advanced. I wonder why these things were not anticipated? That is the way in which the affairs of this colony are now being transacted.

The other point raised by the hon. junior member for the City was on the question of terms. There again the very fact that they refused to state for what terms the members of the Board will be appointed is an indication of the indecision and uncertainty of the Government as to how long they will have these buses on their hands.

I do not think that any member of the Government has completely accepted the advice of the hon. senior member for the City when he said that they are bound to make money on these buses. I can see in their actions a fear that these buses will be on their hands for sometime. If they were really nationalising road passenger transport and they intended that this particular Board should be a permanent body and a new departure (as my colleague, the hon. senior member for St. Lucy seems to feel so strongly about) surely they should have said that the members shall be appointed in the first instance for a period of from three to five years, as the case may be, unless removed from office under any of the provisions hereinafter mentioned.

7.15 p.m.

Absolutely no mention of the length of time for which members are expected to act on the Board is made in the Bill. It is a completely unsatisfactory state of affairs, and can only indicate as I said before, that the Government hopes that this corporation will not have to act for a longer period than three weeks or a month.

As regards a direction made by the members of my party, I would say that I do not necessarily subscribe to the view that a member of the Legislature should be a member of the Board. That is all I would say at present, because this Bill was sprung on us last night. When the policeman arrived at my door I thought he had come to serve a summons; but no one there had committed any offence, and I found out that it was only a *billet doux* from the Minister of Communications.

As I was saying, the members of my party feel that a member of the Legislature should be on this Board. That is a debatable point. As far as I can see, a member who is not beholden to the Government's Party would be in a rather invidious position serving as a member of that Board, since the terms of his tenure of office are at present so uncertain. If he displeased the Minister, if for example he suggested a rise in wages of the bus conductors it may be embarrassing to the Minister, and he may find himself off the Board. You will only get those who are prepared to be used by the Minister in question getting information as to what goes on at Board meetings. What self-respecting person will serve on a Board in such circumstances?

But the members of my party feel that it is right that members of the Legislature should be on the Board, and we are supposed to be democratic. So if they feel so, it is my duty (an experience that has never been shared by any of the Ministers of this Government *vis-a-vis* their leader or misleader as the case may be) it is my duty to urge it on the Government for consideration. But I see a lot of pitfalls in the proposal. It is, however, an opinion shared by individual members of my party, by some members of the Government's Party and by the majority of members on this side of the House.

Turning to sub-clause (1) of Clause 5 it is stated that the "Board shall consist of a chairman and not more than four other members, all of whom shall be appointed by the Governor." Then sub-clause (5) lays down that a quorum shall be three.

As Chairman of Committees, sir, you know from your own experience in this Chamber that even when we have 10, 11 or 12 members appointed to a Select Committee it is difficult to get three to attend at any one meeting, especially if it is held at the inconvenient hour of 2 p.m. It is true that members of the Board will be compensated for their services, and therefore for attending meetings; but it will be difficult to get three out of five to attend meetings of a Board which should be as active as this Board should hope to be if it is going to make a success of its business. I would therefore like to support the point made by the honourable junior member for St. Lucy in that respect.

Mr. ALLDER: Mr. Chairman, I agree with the view expressed about sub-clause which disqualifies a member of the Legislature from being a member of this Board. I feel that it is a direct attack upon the fair name and privileges of members of the Legislature. The sub-clause is absolutely unnecessary, because if you did not want to appoint members of the Legislature to the Board you do not need to insert that sub-clause.

Hon. M. E. COX: If the honourable member will give way for a moment, I will remind him that the same provision appears in the Natural Gas Corporation Act which was passed by this House. It is nothing new that we are trying to put on the House.

Mr. ALLDER: That does not make it right. We cannot blindly take things which apply to one thing and make them apply to another thing. The honourable member should also remember that the Board of Agriculture has members from both branches of the Legislature on it; the Board which controls the exportation of sugar and molasses has members of the Legislature on it, and the same thing is true of the Housing Board and the Hospital Advisory Committee. Because members shortsightedly agreed to the insertion of such a provision in the Natural Gas Corporation Act it does not mean that we should agree to it here.

The provision indicates the feelings of the Government as regards members of the Legislature whether from this Chamber or from the Other Place. I regard it as a direct insult to the members of the Legislature. All honourable members should vote for its deletion. It should not be regarded as a party issue, but as a matter of avoiding something derogatory to members of the Legislature.

As I have said, taking it out does not mean that you need appoint members of the Legislature to the Board. It is left entirely to your judgment. I will say now that if the assistance of members of the Legislature is sought on this Board, much of the dilemma in which the Government finds itself will be

avoided; because the Board will have the sympathy and the knowledge which members of the Legislature can impart to these committees. It will be a matter of sharing responsibility, and not as the Minister seems to feel that some harm will be done.

7.25 p.m.

You get less trouble because members assist you in formulating policy as far as these Boards are concerned. Another thing, the Boards on which members of the Legislature sit are run more carefully than Boards on which non-members of the Legislature sit, because the members of the Legislature on those Boards -always have in view the reaction of the public and the criticism against which they would come up.

I am saying that I regret that I have to make such a suggestion; and we on this side of the Table should really not be so willing to offer our services and opinions to the Government because Government does not try to solicit them. I only rose on this point because I feel that this reference to members of both Houses of the Legislature is too pointing.

I am going to move that sub-clause (3) of Clause 5 be deleted. As I have said, it does not compel the Executive Committee to appoint members of the Legislature on the Board, but you are free in case you want to see any talent, (not necessarily from this side of the Table) to make use of it. I hope honourable members will see that I have not made a motion to embarrass anybody; it is just one to preserve the name and integrity of members of both Houses of the Legislature.

Mr. TUDOR: I beg to second that.

Hon. G. H. ADAMS: I want to assure the honourable senior member for St. John that there is a vast difference between the Housing Board, the Agricultural Board, and a commercial concern. The Housing Board cannot spend two cents unless it has been completely threshed out here. It is not a Board that has power like the Natural Gas Corporation which can buy and sell.

This sub-section (3) of Section 5, is only repeating a principle repeated with the Natural Gas Corporation. Cannot you see that the most innocent man placed in this position may be accused of just helping his friends in buying and selling? What member would like to be placed in a position where his interest and his duty would clash?

I say this is just ordinary principle when it comes to business affairs. It is the same as members of a Vestry cannot buy and sell to themselves. This is a principle enshrined in all Legislatures where public bodies are concerned. I repeat that there is a vast difference between this Transport Corporation and the Housing Board; although I would say that now we have Ministerial system of Government there should be an Advisory Board to every department of Government, but the old system of a Transportation Board should die.

When we put this sub-section in this section we are merely putting again on the Statute Book a reminder of the principle that where a Legislature is concerned you should not put a member in an embarrassing position.

It is only necessary to draw to Your Honour's attention that the Agricultural Board and the Housing Board are different from the Natural Gas Corporation. I say that members of the Legislature should run far from serving on a Board like this. I ask the Committee to pardon me for repeating that so long as your own interest and your duty to the community as a legislator may clash, it is not a bad thing nor is it a bad principle to enshrine that a member of either House of the Legislature should

be disqualified from being appointed or being a member of a Board like this. It is a proper thing to let it be patent that a legislator should not be put in a position, whether he be the most innocent man, where he may be construed in helping his friends or hating somebody whom he thinks is his enemy.

Mr. ALLDER: What I am suggesting, if the honourable member's statement is true, is that he need not put the sub-section in the Act; all you need to do is not to appoint any member of the Legislature on this Board.

I will only ask the Hon. Premier one question: what Board is it that does not spend more of the taxpayers money than the Housing Board? There is none as far as I know. I presume there is no Board on which members sit who give jobs to all their political friends more than the Housing Board; therefore, the honourable member's argument does not hold water.

What I am saying is: if it is wrong to have members of Legislature on that Board, do not appoint them, but do not put this sub-section on the Statute Book. Do not let it be seen that they are disqualified, because they are members of the Legislature. As a matter of fact, I do not expect you to do it if you think it is wrong.

7.35 p.m.

Mr. LEWIS: Mr. Chairman, I should like to make my contribution to this debate on this particular point. I feel that this attitude towards the Legislature is really directed towards the House, because when such Committees are set up members of the Other Place are put on them.

This Chamber is a branch of the Legislature that represents the people; this is the Branch of the Legislature whose members should be trained for Ministerial Status and for accepting the responsibilities of Government. You cannot exclude them from everything; that is the way how people get to understand the work of a Ministry.

It is strange to find that the moment the Government of this country is placed in the hands purely of members of this House that they should say that no legislator should be placed on these Boards. You must sit and hear everything from them. You must not come in here with any first hand knowledge because they want to fool you.

Members of the legislature should have information on all important business. You cannot tell them that they are members who would not buy ground provisions when they have to buy them all the time; but to tell me that a member of the Other Place must say when we come into this House what we are to discuss—I have not heard of it; but I can represent the people.

Government feels that I must secrete myself; I must get shut up in some water tight compartment; you cannot do it. In my opinion it is wrong that you should insert in this Bill subclause 3 of Clause 5 which disqualifies a legislator from membership of this proposed Board. The Governor-in-Executive Committee has it in their power to do what they like about it; and if it is in their power to appoint legislators on such Board and they do not what they like about it; and if it is their power to appoint legislators on such Board and they do not feel to do it, well do not do it. They are setting up a Board which they have no right to dabble in.

I say again that you should not specifically exclude members of the Legislature from it, because to-morrow if there should be another Government, it might be the policy of that new Government to allow it and the difficulty would be that you would

have already had a law there to prevent it. That does not happen in England. Anybody who reaches the age of 21 years has a right to be in the Legislature because they must come in absolutely pure.

If you stipulated in here that there should be appointed on this proposed Board two members from the House and one from the Legislative Council, that might be considered as reasonable; but they are not going as far as that.

Hon. M. E. COX: Mr. Chairman, I am willing to accept the amendment made by the hon. senior member for St. John which relates to clause 3; but I would still make it clear that it is not really the intention of this Government to appoint members of the Legislature to the proposed Transport Board.

Hon. G. H. ADAMS: Mr. Chairman, the Hon. Minister has made it clear. As long as I am a member of this Government, no member of the Legislature will hold an appointment on a trading Board; therefore, do not think that you are getting a victory out of it.

Mr. LEWIS: Mr. Chairman, I am not thinking that I have succeeded in any victory. I was not here and I should just like to know for how long you are appointing the members of this Board; because as the Bill happens to stand now it means that the appointment will be for life. [A VOICE. No.] If you appoint them without some specific reference to the duration of their term of office you will have to find an excuse for getting them off the Board if and when you think it advisable to do so. In other words you will have to insult the man by firing him off the Board.

If you think that the appointment should be for three years then appoint him for three years. If you should appoint to this Board somebody who is a drone, how are you going to get rid of him? You will have to use the powers in subsection 1 of Section 7 in order to remove him from office. But I do not think you should place yourself in that position. It may serve a certain purpose to say that a member of the Board is no good; but then surely you do not wish to spoil his character.

Let us amend this Bill by inserting a specific term; I would say a term not exceeding five years; so that you can appoint some members for two, three or five years as desired and let them be eligible for reappointment; or you may appoint new ones as you think fit.

If you put anybody there, so long as they sit down there though they do not offend you, they may be cutting the ground from under your feet; but you have got to wait until you have caught them out with this sinister defamatory Clause before you can take steps to remove them. You may hear a rumour that is untrue; can you go and shove somebody off the Board? Have we not argued that point in here already? Could we not accept a term of five years? Let it be for a term not exceeding five years but do not appoint people to this Board for life. There is no time to the appointment here and therefore hon. members must conclude that the appointment is for life.

Take the case of the Legislative Council, for instance: once they used to be appointed for life; and when that was changed you could not change the terms of the appointments of those who had first been appointed for life. There is an Act somewhere in the law of Barbados that would shed some light on this question; but I cannot now find where it is.

Mr. Chairman, I am suggesting that the amendment could easily be inserted. The Director of Highways and Transport should be on the Board for the full period. If you felt so to do, you might appoint somebody else for a term of two years or thereabout to try them out. I am suggesting that in subclause 1 we should put it at the end thereof. Perhaps I should read the whole Clause:—

"5. (1) The Board shall consist of a chairman and not more than four members, all of whom shall be appointed by the Governor-in-Executive Committee."

I know that there is a technicality here. It is that if you amend the end of a Clause or a sentence you cannot go back and amend the beginning; you might get into trouble. I hear that there is already an amendment setting out the term for not less than three years. I am therefore suggesting that the last line of subclause I of Clause 5 be amended to read as follows:—

"appointed by the Governor-in-Executive Committee for a period not exceeding five years" by adding after the word Committee the words "for a period of five years."

If the hon. member would suggest to me three years instead of five I would accept that.

We really want an out and out socialist to start this Transport Board; if not, you are going to lose out. [Laughter]. You might find somebody in the island who would be willing to start you off for a year (having had the necessary experience) and you will probably find that in that way you will get the best start in the world. If that person is successful they will be eligible for re-appointment and they will get another term. But do not appoint anybody there for life as you are doing now. Otherwise you have got to make your own rules and defame him in order to get rid of him.

I feel that the amendment which I have suggested is the proper thing. You will find that upon inviting people to membership of this Board they may say to you: "You are asking me to be there and yet you have not told me for how long I shall be there." The Government may not like the way you comb your hair; and then somebody meets you and says to you: "Hey! I thought you were on the Transport Board." The person replies: "No; I am not there, the Government did not want me."

Do not get someone off the Board and tell them that you are using clause so and so. There are many people who feel that the Government will not succeed in this project. I would like to see you succeed because I hope that you will bring in a Bill soon to run all the public utility services in this island. Do not fall for the conservative suggestion of setting up a Public Utility Board. That is what makes me feel that you let Socialists down.

7.45 p.m.

Hon. G. H. ADAMS: The honourable member does not have the slightest bit of Irish blood in him. I said I do not want to teach elementary law to people who do not want to learn law. I did not mean the honourable member. He should get his law from other sources.

The Interpretation Act says that when power is given to a man to appoint, *ipso facto* power is given to dismiss. Members of the Legislative Council, like judges, are appointed at the pleasure of the Crown. If you did not put in the word pleasure, you would have to fall back on the provision of the Interpretation Act.

All the other points that the honourable member made have been covered except that it may

be rather inconvenient if we did not have the section to which he referred. We have to face facts. Suppose some expert happened to be here and willing to give his service, someone will have to face up to it. You may incur the displeasure of an individual member who will have to vacate his seat to let the expert sit on the Board for six months. You could probably get the expert to attend the meetings of the Board as a friend.

The absence of a time limit does not put a man on the Board for life. If you specifically say that the only grounds on which he can be fired are so and so, he can sit there and say you cannot fire him. That is why we had to change the Executive Committee Act the other day.

Some people felt that when people were appointed at the beginning of the session they had a seat until the dissolution of the Legislature. As soon as we had the Ministerial System whereby Ministers are appointed for a limited time he could throw this Act at you.

I repeat that everything is covered by saying that a member of the Board shall hold and vacate office in accordance with the terms of his appointment etc. I felt it my duty to get up and point out that it is incorrect to interpret that as appointment for life.

7.55 p.m.

Mr. LEWIS: Mr. Chairman, I am perfectly willing to accept the Hon. Premier's law, but I am bound to remind him that he lost his reputation as a lawyer when he said: "You could summon the Editor of a newspaper to the Bar of this House."

Hon. G. H. ADAMS: Who said I was wrong? I made it clear that you could not arrest him. Why did the honourable junior member for St. James say he could not give his opinion; he preferred to suspend his opinion?

Mr. LEWIS: Now, Mr. Chairman, I would just like to say, (since the Hon. Premier has regained his reputation as a lawyer) that you have in this Clause that the power of appointment rests with the Governor-in-Executive Committee; yet you have gone out of your way and put in a Clause to say that the Governor-in-Executive Committee may at any time remove from office all or so many of the members of the Board as he may consider necessary.

If you say, that the Interpretation Act covers dismissals, then that Clause would be superfluous. You say here in sub-section (2) that every member of the Board shall hold and vacate his office in accordance with the terms of his appointment and shall on ceasing to be a member be eligible for re-appointment. That does not mean they can fire him out of the office.

Hon. G. H. ADAMS: If the honourable member will just give way, I would just like to say that if I were a draftsman, a number of things in drafting I would not do.

Section 7 says that the Governor-in-Executive Committee may at any time remove from office all or so many of the members as he may consider necessary in the interest of the effective and economical performance of the functions of the Board. That means the Governor-in-Executive Committee cannot remove a member because he does not like the colour of his hair. The only reason that it is put there is to prevent arbitrary dismissals.

You say on what ground you can dismiss. You say his removal will help the effective working of the Board, but you cannot remove a man just because he is Lord Chancellor or because he is a non-conformist. This section prevents the Governor-in-Execu-

tive Committee from arbitrarily removing a man from the Board.

Mr. LEWIS: I see according to sub-section (2) every member of the Board shall hold and vacate his office in accordance with the terms of his appointment. That strikes me as a voluntary action.

If you say, "every member of the Board shall hold and vacate his office in accordance with the terms of his appointment and shall on ceasing to be a member, be eligible for re-appointment," that sounds as if you can appoint people for varying terms. Do you mean that?

The question that the words which were proposed to be added do now stand part, was put and resolved in the affirmative, the Committee dividing as follows:—

Ayes: Hon. G. H. ADAMS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. R. G. MAPP, Mr. HOLDER and Mr. BRYAN—6.

Noes: Mr. VAUGHAN, Mr. ALLDER, Mr. LEWIS and Mr. TUDOR—4.

The question that Clause 5 stand part was then put and resolved in the affirmative without division.
8.05 p.m.

Clause 6 was called.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 6 stand part.

Hon. C. E. TALMA: I beg to second that.

The question that Clause 6 stand part of the Bill was put and resolved in the affirmative without division.

Clause 7 was called. It reads as follows:—

7. (1) The Governor-in-Executive Committee may at any time remove from office all or so many of the members of the Board as he may consider necessary in the interests of the effective and economical performance of the functions of the Board.

(2) The Governor-in-Executive Committee may at any time remove from office any member of the Board who has become incapable through ill-health, of performing efficiently his duties as such member, or who has been absent from all the meetings of the Board during a period of six months.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 7 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, I am asking the honourable senior member for St. Joseph to assist me here in reading sub-clause 2 of this Clause. I suppose it is necessary to read the whole sub-clause to get the gist of it.

(2) The Governor-in-Executive Committee may at any time remove from office any member of the Board who has become incapable through ill-health, of performing efficiently his duties as such member, or who has been absent from all the meetings of the Board during a period of six months.

The point I am about to make I have seen in the other Act (Natural Gas Corporation Act, 1950); but it must have slipped the Crown Law Officer. As the Clause now stands, the phrase, "such member" can be construed as a member incapable of performing his duties efficiently owing to ill-health. That is all that it can mean; and I am of the opinion that those words: "as such member" should be taken out. It has been copied badly and looks to me that it can bear no other interpretation than the one I have just mentioned.

Hon. G. H. ADAMS: For a certain reason, I agree with the honourable junior member for the City. I do not mind saying remove the words, "of such member."

Hon. M. E. COX: Mr. Chairman, I beg to accept that amendment.

The question that Clause 7 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 8 was called. It reads as follows:—

8. A member of the Board who has any interests in any company or concern with which the Board proposes to make any contract or any interests in such contract shall disclose to the Board the fact of such interests and the nature thereof, and such disclosure that he recorded in the minutes of the Board and such member shall take no part in any deliberation or discussion of the Board relating to such contract.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 8 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, something irregular in this Clause strikes my eye. In the last line you have: "shall take no part in any deliberation or discussion"; do you not think you should add the word "vote" there? I have not read the Bill so well today, but it seems to me that according to the wording of the clause a member need not take part in any deliberation, but when the time comes to vote he can vote. He cannot talk; he may only vote.

At least that is the impression which I get upon reading the clause. He cannot talk, but then he can walk in when the time comes and he can vote. What is that? I beg to move that the words "nor vote thereon" be added at the end of the Clause.

Hon. M. E. COX: Mr. Chairman, I beg to accept that amendment.

The question that Clause 8 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 9 was called.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 9 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. TUDOR: Mr. Chairman, I think that in Clause 9 we begin to get to the most important part of this Bill. It is the Clause which lays down the promise of this Board.

I just want the Hon. Minister of Communications to enlighten me on certain points. It says here subject to the provisions of Motor Vehicles and Road Traffic Act, 1937: (a) to carry goods and passengers by road within the island; can he tell me whether "goods" means any reference to passengers or whether it is a freight service? I should like to know that.

Hon. M. E. COX: Mr. Chairman, so far as transportation is concerned, goods are also taken along with the passengers; and these goods can be any kind of goods. There is no restriction at present. The buses today, especially the St. Joseph and St. Andrew buses, are fitted with convenient back seats to carry quite a lot of luggage; and these are allowed to carry both luggage and passengers.

Mr. TUDOR: It was just that that I wanted to know. I did not quite understand that that was actually the position. When you say "carry goods" I take it to mean the sort of trade a motor lorry generally does. I therefore wanted to know if this Bill was asking the Board for that power.

8.15 p.m.

There is one other point that I would like to make now that I am on my feet. Is Paragraph (a) of this clause necessary? Paragraph (a) says "to carry goods and passengers by road within the

island." Paragraph (b) says, "to provide, maintain and operate a passenger road transport service. Is it absolutely necessary to have both of those paragraphs? Does (b) provide for something more than is contemplated in (a)?"

Hon. M. E. COX: The hon. member will remember that in the days of the train, the train used to carry baskets and other luggage to the various destinations of the passengers. If we are providing a proper type bus service it will be necessary to have accommodation in buses for the carrying of luggage.

The question that Clause 9 stand part was put and agreed to without division.

Clause 10 was called. It reads as follows:—

10. (1) The Governor-in-Executive Committee may, after consultation with the Board, give to the Board directions of a general character as to the exercise and performance by the Board of their functions in relation to matters which appear to him to affect the public interest, and the Board shall give effect to any such directions.

(2) In framing programmes of reorganisation or development involving substantial outlay on capital account, the Board shall act on lines settled from time to time with the approval of the Governor-in-Executive Committee.

(3) The Board shall furnish to the Governor-in-Executive Committee such returns, accounts and other information with respect to their property and activities as he may from time to time require.

(4) Without prejudice to the provisions of the last preceding subsection, the Board shall, as soon as possible after the end of each financial year of the Board, make to the Governor-in-Executive Committee a report on the exercise and performance by them of their functions during that year and on their policy and programmes and the Governor-in-Executive Committee shall cause a copy of every such report to be laid before each House of the Legislature.

Mr. LEWIS: Mr. Chairman, this is a serious clause. The hon. senior member for St. Joseph said himself that the Executive would not interfere with the Board.

Hon. G. H. ADAMS: Mr. Chairman, the hon. junior member for St. Lucy trotted out the whole of the 1947 United Kingdom Act. This contains the same provision. The Minister in England gives general directions. We are not going to ask them to tell us how much gasoline they use every day; but general directions will be given.

Mr. LEWIS: Sub-clause (1) says at the outset that the Board will get the general idea of what they must do from the Executive. There is something in sub-clause (2). With regard to sub-clause (3) it seems to me that that is where the Legislature will have to come in. In respect of sub-clause (4) I would like to ask when does the financial year in relation to the Board begin and end. Does it mean the financial year of the colony? Suppose the Executive forgets to put the Report before the Legislature. [Hon. G. H. ADAMS: With you in the House?] Rumour has it that I may not be in the House. That is why I have to take an early opportunity to see that this is in order.

I am serious. I have had to point this out already. You say that the report must be put "as soon as possible" before each House of the Legislature. I would prefer the words "both Houses of the Legislature" if that would be acceptable.

Hon. M. E. COX: Mr. Chairman, I accept that.

Mr. LEWIS: As regards this part about the Board having to get general directions from the Executive, it does seem to me that you are going to hamstring the Board. Another question is whether the Board will have its own auditor or whether the Auditor General will audit its accounts.

Hon. G. H. ADAMS: The point in sub-clause (3) is that today if the Executive is satisfied it does not worry to call for accounts. It is accounts more than anything else that is bringing us into this business. We want to watch carefully the expenditure and satisfy ourselves that the buses can be run at a profit and that they are being run at a profit.

The question that Clause 10 as amended stand part was put and agreed to without division.

Clause 11 was called. It reads as follows:—

11. The Governor-in-Executive Committee may authorise the Board to purchase compulsorily any land which they require for any purpose connected with the discharge of their functions, and the Land Acquisition Act, 1949, shall apply with the necessary modifications and adaptations.

Hon. M. E. COX moved seconded by Hon. C. E. TALMA that Clause 11 stand part.

Mr. TUDOR: Mr. Chairman, there is one thing that I would like the Minister to say. I would like to know if it is sufficient to say "purchase compulsorily any land etc." or whether you should not say "where necessary" or something like that.

Hon. M. E. COX: You will have to take it for granted that it is necessary.

8.25 p.m.

The question that Clause 11 stand part was put and agreed to without division.

Clause 12 — was called. It reads as follows:—

"Nothing in this Act shall be deemed to exempt the Board from liability for any tax, duty, rate, levy or other charge whatsoever, whether general or local."

Hon. M. E. COX: I beg to move that Clause 12, stand part of this Bill.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, I was hoping that the honourable senior member for St. Lucy would have been in his place when we were dealing with this section. Talking of gasoline, he should have only talked about that when we were dealing with this section. However, I would like to say from what I see here, you cannot get tax-free gasoline. Perhaps, it would be a good thing to give tax-free gasoline to the other people. I take it that if the Government eventually decides on the 15% rebate on gasoline that this corporation will get it too.

Mr. TUDOR: Mr. Chairman, with respect to Clause 12, there was a question which I wanted to ask as long ago as when we were speaking on the second reading of this Bill. As I understand it, some of these buses will be under the control of this Board. It follows therefore, that some compensation will be paid to the people who owned those buses.

I really wanted to ask earlier in the day whether the compensation to be paid from the money handed over to the Board would become taxable as income, or whether it would have been taxable as being part of the company's tax.

The question that Clause 12, stand part was put and resolved in the affirmative without division.

Clause 13 — was called. It reads as follows:—

The Limitation (Public Authorities) Act, 1955, shall apply in respect of an act, neglect or default

done or committed by a servant of the Board in his capacity as a servant or agent of theirs."

Mr. GODDARD: This Clause reads as follows:—

"The Limitation (Public Authorities) Act, 1955, shall apply in respect of an act, neglect or default done or committed by the Board in his capacity as a servant or agent of theirs."

Now the period of limitation of action against public authorities under the Act of 1955 is that of one year; but does that apply to accidents on the road or is that only applicable to statutory neglect? If it applies to ordinary employees of buses, in the case of accidents it would I think create hardships because in many of these cases a person cannot determine the amount of damage or the nature of damage until sometime afterwards. I know of a case of that nature which was brought three years afterwards. I ask again: does this apply to cases of accidents in this respect?

Hon. G. H. ADAMS: You have simple accidents as well as gross accidents. There is nothing to prevent (if you sue for say £100 damages and then you have evidence to show that your injury is more than £100,) your asking the court to amend it to £500. Paragraph 4 of the Limitation Act, reads as follows:—

"If on the date when any right of action accrued for which a period of limitation is prescribed by this Act, the person to whom it accrued was under a disability, the action may be brought at any time before the expiration of one year from the date when the person ceased to be under a disability or died, whichever event first occurred, notwithstanding that the period of limitation has expired".

I do not think the danger which the honourable member foresees is ever likely to arise. Anybody's solicitor will tell the other party's solicitor: "I will sue within a year, but as regards to my clients's illness, I cannot tell you the amount of damages to which he is entitled."

The question that Clause 13, stand part was put and resolved in the affirmative without division.

Clause 14 was called. It reads as follows:—

"The Board shall appoint such officers, agents and servants as the Board may from time to time determine and there shall be paid to them such salaries, remunerations and allowances as the Board may determine with the approval of the Governor-in-Executive Committee."

Hon. M. E. COX: I beg to move that Clause 14, stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. ALLDER: I would like to know from the Hon. Minister if he can tell us what are the conditions on which old employees of these companies would be taken on by the Transport Board, and if provisions would be made to pension such persons.

Mr. Chairman, I wish to ask for a recommitment of Clause 14; and I should like at the same time for the Hon. Minister of Communications to tell us what are the conditions under which the old employees of the existing companies will be allowed to continue in the service under Government control, and whether provision would be made to pension such employees? [VOICES: How can we answer those questions?]

Hon. M. E. COX: I have already explained that the Board has power to grant pensions.

Mr. LEWIS: The hon. senior member for St. John wants to know if the Government would give them any pension.

Hon. G. H. ADAMS: The hon. senior member for St. John has whispered to the hon. junior member for Christ Church saying that he is going to put us in a hole now. There is nothing to prevent the company of Goddards Ltd or any other firm from applying a pension scheme. On the other hand, when the Minister of Social Services gets into his stride on matters of social security he may say that there should be a pension system in every business of the island.

The question that Clause 14 stand part was put and resolved in the affirmative without division.

Clause 15 was called.

It reads as follows:—

15. The Board may, with the approval of the Governor-in-Executive Committee, borrow by way of loan, overdraft or otherwise, such sums as the Board may require for meeting their obligations or discharging their functions under this Act.

Hon. M. E. COX: Mr. Chairman I beg to move that Clause 15 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: I notice that they have only given them powers of borrowing. But the Natural Gas Act says that you can both borrow money and issue debenture stock for certain purposes.

The question that Clause 15 stand part was put and resolved in the affirmative without division.

Clause 16 was called. It reads as follows:—

16. The Board shall charge to revenue in every year all charges which are proper to be made to revenue, including, in particular, proper allocations to general revenue and proper provision for depreciation or renewal of assets.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 16 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, I wonder if I should make this appeal to the Hon. Minister of Communications. In Clause 16 I read the following:—

"The Board shall charge to revenue in every year all charges which are proper to be made to revenue, including, in particular, proper allocations to general revenue and proper provision for depreciation or renewal of assets."

Now I think that some explanation is needed there. If I understand it correctly, it means that depreciation is to be charged to revenue; it is not quite plain. Depreciation is usually an expense. If you are going to credit it to revenue then I do not know [A VOICE: It is something you are getting back.] In any case all of that will go back to capital.

Somebody says you are getting back something. However I know that it is of no use making this point. I am not asking the Government to go into any expert accounting. This is just a conglomeration of words which I am somewhat at a loss to understand. You cannot borrow money except you must charge it against revenue.

I am saying I do not know what depreciation of revenue means. I hope there is no confusion there. If Government are experts at this let them tell us and I may be able to see with them.

The question that Clause 16 stand part was put and resolved in the affirmative without division.

Clause 17 was called and passed.

Clause 18 was called. It reads as follows:—

18. (1) The Board may, with the approval of the Governor-in-Executive Committee, make regulations for administering the provisions of this Act and for giving effect to its purposes.

(2) Regulations made under this section shall be laid before each House of the Legislature as soon as possible after they are made, and if either House, within the period of forty days, beginning with the day on which the regulations are laid before it, resolves that the regulations shall be annulled, the regulations shall thenceforth be void but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.

(3) In reckoning any such period of forty days as aforesaid, no account shall be taken of any time during which the Houses of the Legislature are dissolved or prorogued or during which either House is adjourned for more than seven days.

Hon. M. E. COX: I beg to move that Clause 18 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, we have come to a really very serious part of this Bill. I am asking the honourable senior member for St. Joseph to enlighten me on certain points because I am really confused now. Do you mean to tell me that the Regulations which are going to be made by this Corporation would be of such a nature that we could not amend them? Do you mean to tell me that this Corporation is going to make Regulations that may cut across other Regulations made under the Motor Vehicle and Road Traffic Act?

Hon. M. E. COX: They cannot cut across.

Mr. LEWIS: The Regulations that are made by the Natural Gas Corporation are merely made with the approval of the Governor-in-Executive Committee. I do not believe that the Regulations which they will be making are not Regulations which we will have approved.

Do you mean to tell me that they are sending Regulations in here that we cannot amend? These Clauses have been copied loosely, *very loosely*. It is not so in the Natural Gas Corporation Act. I cannot have this Board making Regulations that will come in here and create an offence.

Clause 19 I notice by the way, says something about "offences." As a matter of fact the Natural Gas Corporation does not deal with people on the street. The servants of the Natural Gas Corporation will one day be going into people's houses for the purposes of reading their gas meters and the Government has no power to make any Regulations in case there is any damage to property while inside the premises of the consumers.

I say again that this is a very serious matter. I do not know of anybody, except the Governor-in-Executive Committee, that can make these Regulations an offence. I believe that Clauses 18 and 19 should be cut out and let us call this Bill a day.

Do you mean to tell me that Eckstein Brothers have been able to run concessions without making regulations? You have always been required to make regulations for them; and now you are saying that this Board must have to make its own regulations. This is a private concern now.

Mr. Chairman, I would like the Other Place to discover that this is a big blunder and that the representatives of the people were not ashamed to pass it.

8.45 p.m.

Mr. BARROW: Mr. Chairman, I cannot agree with Clause 18 as it stands. In the Objects and Reasons of this Bill we are told that it is modelled closely on the Natural Gas Corporation Act of 1950. In that Act and in every other similar Act passed by this House the limit and scope of the regulations which can be made by the subsidiary body have been defined.

There are a lot of things left out in this Act without which no business concern, no body corporate or incorporate will be able to function. One aspect is the keeping and auditing of accounts. No mention is made of the auditing of the accounts of the Corporation.

Now in this Clause 18 we have made a departure from the usual practice of the Legislature by not defining the limit and scope of the Regulations which should be made. In the Natural Gas Corporation Act it is stated that the Corporation subject to the approval of the Executive may make regulations etc. and then it goes on to enumerate the purposes for which Regulations shall be made.

It is more important in a Bill like the one before us that the limit and scope of the Regulations should be defined because there is already a separate advisory Board which, under the provisions of the Motor Vehicles and Road Traffic Act can make regulations for road transport in general. If we do not draw a line between that Board and the Board envisaged in this Bill it seems to me that we may run into a lot of difficulties.

It is not good to leave the powers granted to a subsidiary body not clear and undefined, for the simple reason that when it comes to the questioning of any act or acts done by the particular authority it will be very difficult to find out from the Act itself whether the authority acted *ultra vires* or not. If this Bill is modelled on the Natural Gas Corporation Act, it seems to me that the Government should have copied, not only those things which are irrelevant and which should not have been copied at all, but those things which can be adapted and which would be suitable for the corporation that we want to set up.

There is the other aspect that alongside this corporation which we are creating there will be private enterprise operating buses. As a matter of fact, the ideal situation from the point of view of the Government seems to be that there should be one concession operated by them and the others by private enterprise. How can you make regulations undefined in their limit and scope in relation to the operation of one or two concessions, when alongside those concessions there are others operated by private enterprise within the limits of the regulations made under the Motor Vehicles and Road Traffic Act?

The secret of the whole matter is that it is unnecessary for this Board to make regulations at all. We have a provision for the making of regulations under the Motor Vehicles and Road Traffic Act, and those Regulations can automatically apply to the operations of the Government's concession. The next thing that will happen is that you will bring in a Bill to allow private Concessionaires to make regulations, and possibly create new criminal offences; because right here in this Bill you have the employee of a bus service being put in exactly the same position as the Minister of Justice to the ordinary man on the top of the omnibus. I do not mean that in reference to the Hon. Minister of Communications. That is a phrase used by Lord Justice Bowen.

If the ordinary man on the top of the omnibus tells off a conductor of the Government's concession he is guilty of a new criminal offence; but in relation to a concession that has not been taken over by the Government it may be no offence at all.

That is an anomaly created by the provisions of this Bill and it is another illustration that this legislation is ill conceived, hasty and ill considered. I would like to ask the Minister of Communications this: if you are really modelling the Bill on the Natural Gas Corporation Act why have you not

adapted Section 26 of that Act which defines the limits and scope of regulations?

8.55 p.m.

Why was this Clause inserted at all? Subsection (1) reads thus:—

“The Board may, with the approval of the Governor-in-Executive Committee, make regulations for administering the provisions of this Act and for giving effect to its purposes.”

It reminds me of the sign which you sometimes see: “Drugs administered or carefully compounded.”

In the other Acts on the Statute Book, we generally see, “the Board may make regulations generally for carrying out the provisions of the Act;” not administering the provisions of the Act. Now, they specify and then there is a general clause at the end. [A VOICE: That is a precautionary method.] It would appear to me when this whole Bill was drafted that somebody was sleeping. You then have as sub-clause (2):—

“Regulations made under this section shall be laid before each House of the Legislature as soon as possible after they are made, and if either House, within the period of forty days beginning with the day on which the regulations are laid before it resolves that the regulations shall be annulled, the regulations shall henceforth be void but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.”

The Regulations which this Board would make are only domestic in nature and can only affect the internal economy of the corporation. What new contingencies are being made by the provision of Clause 18 of this Bill? I wonder if the Hon. Minister of Communications knows that himself and whether he can give an answer to the queries raised. This whole paragraph is complete hash. Nothing has been put to the public to say that you have set up a Board which is a step towards nationalisation. There is nothing in this Bill well thought out or drafted.

If the Hon. Minister of Communications has assured us that this Bill was thoroughly discussed in Executive Committee, it would appear to me that the Executive members of this House had no sleep at all, because it would have to be done within the last 24 hours. You come in here in matters like these and you say that they have been thoroughly threshed out by the legal draftsmen and members of the Executive Committee.

Fortunately for us we have a bi-cameral legislature and the same Ministers who get up and defend inaccuracies and absurdities in the present Bill will come back to us when amendments are sent down by the Other Place and use the same arguments to persuade us to vote for those amendments, as they have done on several occasions after having ignored suggestions which come from this side of the House. It happens time after time. I consider every amendment sent down from the Other Place to be reflection on the integrity and the ability of this House.

Hon. M. E. COX: These Regulations really would not apply in general terms to the Motor Vehicle and Road Traffic Regulations, because in the final analysis the Director of Highways and Transport has legal authority to see after transportation. The Regulations to which this section refers are those which come under section 9, which reads as follows:

“Subject to the provisions of this Act and the Motor Vehicle and Road Traffic Act, 1937, the Board shall have power —

- (a) to carry goods and passengers by road within the Island;
- (b) to provide, maintain and operate a passenger road transport service;

- (c) to provide such other amenities and facilities for passengers and other persons making use of the services provided by them as it may appear to them requisite or expedient to provide.”

I take it that these Regulations would only apply to their domestic business. This Transport Board will have to apply to the Director of Highways & Transport for a concession, therefore, they come under the general direction of the Director of Highways and Transport in so far as regulations are concerned. If you say, “the Board can make regulations for its internal government,” there is nothing wrong with that. 9.05 p.m.

Mr. LEWIS: These Regulations which they will make can cut across anything else. This section is not necessary because the other six Concessionaires may not make them, therefore these Regulations are not of sufficient importance to affect the Legislature. This is giving the corporation an authority equal to that of the Governor-in-Executive Committee and that is what I am objecting to.

Hon. M. E. COX: Mr. Chairman, I suggest that we should cut out sub-clauses 2 and 3 of Clause 18.

Mr. LEWIS: The phrase “for administering the provisions of this Act” should be amended to read: “for carrying out the provisions of this Act.”

Hon. M. E. COX: Mr. Chairman, I accept that amendment.

Hon. G. H. ADAMS: Mr. Chairman, I do not agree with that. After the words “for administering the provisions of this Act” the Clause also adds “and for giving effect to its purposes.” You have got to carry out what the Act says.

I agree with cutting out sub-clauses 2 and 3 but there is no reason for not allowing the words “administering the provisions of this Act” to stand part of sub-clause 1. There is no Clause in which I see the words: “carrying out the provisions of this Act;” but in “administering the provisions” of the Act you are carrying out the provisions of the Act whether in an administrative or any other way. That is what I understand from all other Acts.

Hon. M. E. COX: Mr. Chairman, will the honourable junior member for the City be satisfied if the sub-clause is amended to add for carrying out the provisions of this Act. [Mr. LEWIS: O.K.]

Mr. BARROW: Mr. Chairman, I should like to know why Regulations are not to be laid on the Table of the House.

The question that Clause 18 as amended stand part was put and resolved in the affirmative without division.

Clause 19 was called. It reads as follows:—

19. Any person who interferes with, obstructs or assaults any officer, agent or servant of the Board in the exercise of any of their powers or duties under this Act or any regulations made under this Act shall be guilty of an offence and shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding two hundred dollars or to imprisonment not exceeding six months or to both such fine and imprisonment.

Hon. M. E. COX: Mr. Chairman, I beg to move that Clause 19 stand part.

Hon. C. E. TALMA: I beg to second that.

Mr. LEWIS: Mr. Chairman, I find that Clause 19 contains one or two irregularities. Do you mean to tell me that the conductors of the motor omnibus companies intend to offend us.

Hon. G. H. ADAMS: At present you cannot even use bad language while waiting for a bus. You cannot play a tambourine in a bus; if you do so, you have committed an offence. This Board will have

some protection. That is the law of today and for any person who contravenes any of its provisions, you can call a policeman and have that person or persons put off the bus.

Over and above that we have given them power to make and repair buses etc. When the servants of a Corporation are permitted to do something that does not come under the provisions of the Motor Transport Act we are not affected until they really know to a great extent what they have to do. That has no reference to the Regulations.

In one respect the Transport Board will apply for a concession like the other eight people who have applied. But power is allowed to them to do other things; including contracting, manufacturing etc. Those are its statutory functions. It has nothing to do with the running of a bus which is already laid down in the Motor Traffic Act.

I do not believe that anybody can be guilty of all of these offences; but I should like to remind the public that there are a great many offences of which a person can be guilty as the law now stands. You cannot smoke except on the two rear seats; that is one; and I have mentioned it because I notice that some American called attention to this recently. The conductor can call a policeman to put that person off according to the Regulations.

Mr. LEWIS: Mr. Chairman, I see his point about a company or Corporation; but this is only to regulate your internal affairs. You are giving a company power to make something a criminal offence. At one time when I first came to this House as a member, the position was that you could not put in a fine without the Secretary of State for the Colonies' approval.

This Bill has in something about Regulations and those proposed Regulations are not to go before the House. You are establishing a private concern which can bring a criminal case in this colony for up to \$200. I think that Clause 19 follows 18. [Hon. G. H. ADAMS: No.]

I cannot let them set up any Corporation with power to determine a criminal offence. The Hon. Minister has said that the more offences that are brought in the less use there is for them. Imagine it you strike somebody on a bus belonging to this proposed Corporation that you can be fined as high as \$200, but if you got into one of those of the other Concessionaires you can kick the conductor and the law would be satisfied! Do you mean to tell me that you can kick a Natural Gas Corporation man and you can not do the same thing to a member of the Transport Board? The Natural Gas Corporation has property which people have no right to go and damage. That is a most serious thing. What have they got? Are they going to 'lick' down somebody? I hope that they never kill anybody.

There is something in which I do not agree with the honourable senior member for St. George. If we have a long adjournment and this goes to the Other Place and anything is wrong with it, the Government is going to get them to pass it no matter whatever are the amendments. Government will tell them that we are not going to do anything about it; do not send it back to the House because by the 25th instant they have got to have something operating. That is what I fear.

9.15 p.m.

This clause says that if you break these Regulations the punishment is a fine of \$200 or six months imprisonment or both fine and imprisonment. That is what will happen if you interfere with one type of driver or conductor, but in the case of another type it may only be a fine of five shillings. I think

that that must be a misconception on the part of the person who drafted this Bill.

There is nothing like this in the Natural Gas Corporation Act. The Natural Gas Corporation makes domestic arrangements and the Executive Committee says do it with our approval. I would take out this provision and let the other Branch of the Legislature put it back in, and then I would be satisfied to let Mr. Speaker call me out at any time of the day or night and let me tell them something. I feel that it is unnecessary, and I counsel that it be left out, and let the Other Place put it in so that the Secretary of State for the Colonies can deal with the Attorney General directly.

I am not allowing any private corporation to create criminal offences or to say that their servants are different from anyone else. As far as I can see, you will have to be careful that you do not interfere with them when they are at home.

Hon. G. H. ADAMS: If the hon. member continues to say "private" when he means "public" he will be in trouble. This is a public corporation financed by the Government, and it is therefore essential to give its officers certain duties and certain powers. This is a public corporation subject to the directions of the Governor-in-Executive Committee. It is permitted to operate a transport service and will begin operations by having vehicles placed at its disposal.

If you give its officers certain duties, it is right that you should seek to prevent people from obstructing them in the carrying out of those duties. Clause 19 is to prevent offenders from being haled before the Chief Justice when they can be tried by a Police Magistrate.

As regards the extent of the penalty, according to the Interpretation Act any sum of money put in as a penalty can be the maximum; you do not necessarily have to put in the words "not exceeding." Under this clause a magistrate can impose a fine of three cents, but he cannot impose one of more than \$200.

As I have said, this clause is to allow you to try people who commit these offences before a Police Magistrate instead of at the Court of Grand Sessions. Anything to which a penalty or fine is attached is a misdemeanour at common law. You do not want to carry everything to the Court of Grand Sessions. In theory every offence should be prosecuted before that Court; but you pass the Summary Jurisdiction Act and give the magistrate power to try certain cases so as not to litter up Grand Sessions.

I am sure that now the hon. member has that explanation he will see that there is nothing in his point. This does not clash with the offences already provided for under the Motor Vehicles and Road Traffic Act. It would be *ultra vires* to make Regulations which would conflict with the Regulations made under that Act. This will only affect offences in respect of the operating of buses which are not covered in the regulations made under the Motor Vehicles and Road Traffic Act.

Mr. LEWIS: I have one last point, I am not confusing this with anything already provided for. My point is that if the servants of the Corporation are to be protected in this way, the servants of other Concessionaires should be protected in the same way.

9.25 p.m.
Mr. BARROW: Mr. Chairman, the Hon. Premier can talk until Doomsday but he cannot convince me. He can abuse, become vituperative, or do any

of the customary things which we expect from him. I did not speak on this clause because the hon. junior member for the City suggested that if I did not speak on it they would perhaps be more willing to agree to its deletion.

I would like the honourable senior member for St. Joseph to tell me what indictable offence there is for obstructing an officer of the Transport Board in the execution of his duty. There is no such offence (whether it is the Transport Board, or the Police Force, or any statute law of Barbados), as it is in England where there is an offence in obstructing a parish constable or a member of the Police Force in the execution of his duty. What is the position by this Bill? If you assault a bus driver, you are liable to prosecution before a Magistrate of a Police Court and if you are convicted, you are liable to pay a fine of \$200. Here we are putting a bus conductor and driver in a higher position, (because he is now an employee of the Government) than a member of the Barbados Police Force who has far more serious duties to perform and who has to cope with criminals from day to day.

What I am pointing out is that this Bill is ill-considered and that this Clause was never intended to be inserted in a Bill of this nature. There is no reason why the employees working in Government Transport should be in a privileged position in contradistinction with the employees of other public transport. The honourable senior member for St. Joseph said it is an indictable offence. The only indictable offence is the one affecting Trade Unionists under the old statute of Queen Elizabeth I which is still a statute law of Barbados. It does not appear in our Statute Book, but is automatically part of the Statute law of this island.

There is no indictable offence in the Statute Book here for the obstruction of any officer in the execution of his duty; so when the Hon. Premier says the fine is \$200, he would only mean the Barbados Workers Union; he could not mean any other organisation. The only indictable offence is that of conspiracy.

He could only have this Clause put in to use as a big stick against the Barbados Workers Union, the organisation that paid him \$300 a month to represent the for ten years. I would like to know why it is when a policeman goes to arrest a robber at night or to do any kind of thing like that and the robber obstructs that policeman in the execution of that duty, the fine is only £10; and if you obstruct a conductor or driver in the carrying out of the provisions of this Act you are liable to a fine of \$200. 9.35 p.m.

If this is not anti-trade union legislation what is it? I can think of no other classes of members of the community that this idea of offence could affect. I challenge the honourable senior member for St. Joseph to name the knowledgeable offence that he is saving the public from, and to say if this clause is not drafted against Trade Union organisation.

That part of Clause 19 should not have been put in at all. I do not care if he leaves it in because the Minister of Communications has only to sit down there and accept what his master says to him. He has no opinion of his own.

I say again this is anti-trade union legislation and nothing else. Why should a person be fined £10 for obstructing a policeman who is arresting a felon, and for obstructing a member of the Government Corporation the fine should be \$200 in a Police Court? That is going back to the Middle Ages.

Very often such provisions are inserted in these

Bills when either he or the other members of the Executive have not had the opportunity to study them before they come into this House; and that is why I keep quoting on the invitation of the honourable junior member for the City. He said to me: "If you get up, they are going to get up and pass it because you have got up." That is the way in which the Government is now being run in Barbados. It is on those principles and not on principles of what is fair and just towards the community that this Government is run. Any foolishness that is written on a piece of paper by the Crown Law Officers is accepted and defended by the Government even when it is apparently absurd. I could not vote for this, and I therefore move the deletion of Clause 19.

Mr. TUDOR: I beg to second that.

The question that Clause 19 be deleted was put and resolved in the negative on a division as follows:—

Noes: Hon. G. H. ADAMS, Hon. M. E. COX, Hon. C. E. TALMA, Hon. Dr. CUMMINS, Mrs. BOURNE, Mr. HOLDER, Mr. BRYAN, Mr. VAUGHAN—8.

Ayes: Mr. TUDOR, Mr. ALLDER, Mr. GODDARD, Mr. BARROW—4.

Hon. M. E. COX: Mr. Chairman, I beg that you do not report the passing of this Bill in Committee with amendments.

Hon. C. E. TALMA: I beg to second that.

The question that Mr. CHAIRMAN do now report the passing of this Bill in Committee with amendments was put and resolved in the affirmative without division.

Mr. CHAIRMAN reported the passing of the Bill in Committee. Mr. SPEAKER resumed and reported accordingly.

On motions of Hon. M. E. COX, seconded by Hon. C. E. Talma in each case the Bill was read a third time and passed.

ADJOURNMENT

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX the House adjourned for three quarters of an hour. 9.45 p.m.

On reassembling.

Mr. SPEAKER: Order No. 1 stands in the name of the honourable junior member for St. Thomas.

COMMITTEE OF SUPPLY

Hon. Dr. H. G. CUMMINS: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

Hon. M. E. COX: I beg to second that.

The question was put and agreed to without division and Mr. Speaker left the Chair and the House went into Committee of Supply, Mr. Smith in the Chair.

Supplementary Estimate No. 21. Aedes Egypti Mosquito Campaign

Hon. Dr. CUMMINS: Mr. Chairman, this Resolution is for \$16,200 to be used in connection with the Aedes Egypti Mosquito Campaign. The Pan American Sanitary Bureau under whose auspices it is being run found when they came here in the first instance that it would take two years to spray the island. They began in St. Michael and Christ Church, and the idea was that each parish should be done one after the other. They have recently come back and said that the campaign should be carried out in the

parishes simultaneously, as it is done in the whole Western Hemisphere, and that we should take more workmen etc. and spray the island simultaneously.

They, sir, are the authorities on this thing. Every three months they visit the various countries where the campaign is going on and evaluate the work that is being done. It will take about \$16,200 to carry out the campaign in this way. I move that the Resolution do now pass.

Hon. M. E. COX: I beg to second that.

Mr. GODDARD: Mr. Chairman, the Government is now doing what we suggested at the beginning of this campaign. The honourable senior member for the City pointed out then that it did seem strange that a campaign like this should be carried out by the parish to parish method, because after you had finished one parish the mosquitoes might return.

I am glad to see that much of the objections to spraying have abated. As a matter of fact, I have heard many householders say they wish they would return and spray their houses again. But apart from that, now that we are going into the smaller parishes many of which you will be unable to do a finished job, I will repeat the suggestion I made that the Government should make a grant to assist them with the cleaning up of tins, cans etc. or money will be wasted in carrying out the spraying campaign itself. I hope that Central Health Authorities will not expect these smaller parishes to be able to do the same job as St. Michael and Christ Church. They are the only two parishes that have the proper vehicles for carrying staff. Many of the other parishes will have to depend upon donkey carts. You, sir, will know that the Sanitary Commissioners in your parish will not have the funds to do the job as it is done in St. Michael and Christ Church. I hope that they will get on with the campaign speedily.

As regards transportation, one truck cannot do the job because the truck stays in the vicinity where the spraying is going on. I see that a Land Rover is coming on the scene; but you have ten parishes to do. However, sir, I feel that this is a step in the right direction, and I can say that the residents of Christ Church are looking forward to a return of the spraying.

The question that the Resolution do now pass was put and agreed to without division.

Supplementary Estimates No. 22 Miscellaneous Services

Hon. G. H. ADAMS: Mr. Chairman, this Resolution is for \$6,600 under Miscellaneous Services. There are three pre-federal commissions sitting in Barbados at the moment. I think the House was informed of the visit of those commissions in Message No. 6 of this year. Their deliberations are approaching an end, and we really should have got this Resolution through last week. Our share comes to \$6,600, and this Resolution is to provide that. I objected to the amount myself at first, but the Financial Secretary assured me that this sum is worked out on the basis of what we agreed we would pay.

I beg to move that the Resolution do now pass.

Hon. Dr. H. G. H. CUMMINS: I beg to second that.

Mr. GODDARD: Mr. Chairman, I would like to ask on what basis was this sum worked out.

Hon. G. H. ADAMS: I do not have that information here. I will have to send it to the hon. member; but I assure him it was sent to the House. I think that each colony was to contribute so much for hotel expenses plus \$5.00 a day subsistence allowance.

All three commissioners will not get the same. Sir Hilary Blood gets so much; Sir Sidney Caine gets so much etc.

I now find that I have the file. The information is to the effect that the basis of dividing the joint expenses "has not yet been settled; but our proposed share is based on our contribution to the Regional Economic Committee, excluding the mainland territories. Our present contribution to R.E.C. is 13.4 per cent, and our contribution to the expenses of the pre-federal commissions will be 16.5 per cent." The rates are those suggested by the Government of Jamaica calculated to the end of September, and we are being asked for \$6,600 which will be our share. I can give the breakdown of these expenses if hon. members desire it.
10.40 p.m.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

Supplementary Estimates 1955-56, No. 23. Visit of School Teacher to U.K.

Hon. G. H. ADAMS: The next Resolution is for the sum of \$320, to provide incidental and personal expenses for the visit of a school teacher to the United Kingdom as from the 5th September to the 6th October next. Every year for the last three or four years the Secretary of State for the Colonies has invited the nomination of a school teacher, Trade Unionist or Journalist to visit the United Kingdom. This year the invitation is extended to a school teacher who will be joining a party from other West Indian islands.

The Central Office of Information will be meeting all the normal expenses in the United Kingdom of the visitors, along with an escorting officer including accommodation, meals and transport, but excluding incidental and personal expenses. The cost of air passages to and from the U.K. is also being borne by Her Majesty's Government. This is to provide incidental and personal expenses for the nominee at the rate of \$10 a day.

It is the same rate as was paid to the Trade Unionist who was sent up last year. Last year the Barbados Workers Union nominated the President to go. When this invitation came out to the West Indies on the first occasion, somebody in Trinidad suggested that the sum should be at the rate of \$10 a day. The Government of Barbados agreed with that figure, and we passed a Resolution to pay the Trade Union nominee according to that rate.

As I have said, one year they asked journalists, another year Trade Unionists and once they asked teachers, but they did not accept; this year they have asked teachers, and they have accepted. They will be going up from the 5th September to the 6th October. This sum is for 32 days incidental and personal expenses, which I may say reckons from midnight of the day you leave until the day you come back.

I beg to move that this Resolution do now pass.

Hon. Dr. H. G. CUMMINS: I beg to second that.

The question that this Resolution do now pass was put and resolved in the affirmative without division.

Supplementary Estimates 1955-56, No. 24. Civil Aviation

Hon. M. E. COX: Mr. Chairman, the next Resolution is for the sum of \$7,000 to meet the expenses for a motor vehicle under Head XXXIII--

Civil Aviation. The Addendum explains the matter quite fully. It reads as follows:—

“The sum of \$4,000 was provided under Head XXXIII, Item 30 for the transportation of staff to and from the airport. It was intended that this service should be undertaken by contract, but the tenders received were prohibitive, and it has been decided that Government should provide its own transportation. To meet the needs of this service it has been found that a 28 seater bus is necessary, and accordingly provision of a sum of \$7,000 is needed for the purchase of such a vehicle. It is proposed to utilise the amount voted under Item 30 to meet the recurrent cost of operating this service.”

It has been for some time pointed out to Government that members of the Airport staff have been meeting difficulty in getting to work in due time, and as a result, the Dos Santos Commission has recommended among other things that transport facilities be provided by the Government for these employees. The Government has agreed to this.

This is a service which, as far as I remember Governments undertake in other colonies for their employees. This Government having agreed to that recommendation it became necessary to provide this transportation. We made attempts to have this transportation done by contract but the sums quoted by potential contractors were very high. I would not say for one moment that they were exorbitant in so far as operations of their vehicles are concerned, but they were considered to be high; and on the figures put up to the Government, we found that we could provide a service at a considerably reduced price by providing our own vehicle. We decided to provide this vehicle and we are asking for the sum of \$7,000 to be voted under this Head.

I beg to move that this Resolution do now pass.

Hon. C. E. TALMA: I beg to second that.
10.50 p.m.

Mr. GODDARD: Now that the Government is on the eve of becoming the owner of Road Transport, do you not think that this Resolution should have been deferred pending the outcome of their operating the bus system? You have asked the present Concessionaires to put in their buses and you may find that there are certain buses that will have to be kept in repairs; why not see if there are not certain buses that can be used for this purpose.

You are going to have a Road Transport Board with a repair section; and one would have expected in this case that it would have been more appropriate for Government to build the bus and rent it out. They are going to buy a bus for \$7,000; the Police want a bus that will not only carry the musicians but will accommodate them in a proper way. Why not combine the two. That is to say, have a proper bus for the transportation of the Police Band which is not often used every day and night and have the same bus to run to Seawell Airport.

If you do not do that, it will mean that you will have a bus to run to Seawell and then next year you would have to have one for the Police. That is why I say it may be wise to postpone this Resolution.

Hon. M. E. COX: I appreciate the remarks made by the honourable junior member for Christ Church, but I think he will agree with me that in all modern airports you will find that there are coaches at the service of passengers and employees. It would appear to be almost inconvenient and almost unworkable to have any regular transport out of a service which should be left to itself due to the irregularity in the hours of work and the time at which airport employees come off from work. That is the difficulty in this matter.

The question has been considered before now, and it was felt that the most satisfactory way in which to carry out this need would be to provide an independent service; that is, to purchase a new vehicle and allow it to remain under the control of the Director of Transport for the purpose of conveying employees at convenient times.

I do not think that this will fit into any general transport system. That is why even at this late hour, despite the fact that the Government may be running some of these buses, I think it is far better and in keeping with the transport operations at other airports in the colonies and countries, to keep this transportation separate and distinct from the general transport system.

The question that this Resolution do now pass was put and resolved in the affirmative without division.

Messenger and Library Attendant, House of Assembly

Hon. Dr. H. G. H. CUMMINS: This Resolution is consequent upon a Message to His Excellency, the Governor-in-Executive Committee in connection with the gratuities to the estate of Mr. Alfred Gittens, our late Messenger and Library Attendant.

I think hon. members are well acquainted with the details of this Resolution. I do not think there is anything more I need say; and I therefore beg to move that this Resolution for the sum of \$1,200 do now pass.

Hon. M. E. COX: I beg to second that.

The question that this Resolution do now pass was put and resolved in the affirmative without division.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that you do now report the passing of five Resolutions in Committee.

The question that Mr. Chairman do now report the passing of five Resolutions in Committee was put and resolved in the affirmative without division.

Mr. CHAIRMAN reported the passing of the Resolution.

Mr. SPEAKER resumed and reported accordingly.

On motions of Hon. Dr. H. G. H. CUMMINS seconded by Hon. M. E. COX in each case, the Resolutions were read a first and second time and agreed to.

11.00 p.m.

AMENDMENTS FROM OTHER PLACE

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, Orders Nos. 14 and 15 stand in my name, but they concern the Minister of Agriculture. I am asking leave that he be allowed to take them. They are amendments from the Other Place.

Mr. SPEAKER: Copies of the amendments are not yet available to honourable members.

Mr. GODDARD: Mr. Speaker, on the last occasion when we adjourned we were to come today to do Resolutions. Now I see that an attempt is being made to do other things. I do not know what is being done.

Hon. Dr. H. G. H. CUMMINS: There were certain cyclo-styled papers which we got permission to circulate to honourable members. Because of the lateness of the hour we did not go on with them on the last occasion. We are now asking leave to proceed with the same things. There is nothing new. Among those things is a Message from His Excellency the Acting Governor in connection with the

Foundation Schools. It is very urgent. Copies have been circulated to honourable members.

Mr. GODDARD: I expected that that Message would have been dealt with today. If the Government is going to deal with Bills when we came here to deal with Resolutions, I would protest on the part of other honourable members.

Hon. G. H. ADAMS: Mr. Speaker, I was going to ask for leave to deal with the Foundation Schools Message. I had leave to deal with it on Tuesday; but it was getting on to 1.30 a.m. and the Hon. Leader of the House was tired and the rest of us sympathised with him and we went home. I am asking leave to make a motion that we reply to the Message in terms which I shall read out.

There being no objection, leave was granted.

FOUNDATION SCHOOL

Reply to Message No. 23/1955

Hon. G. H. ADAMS: Sir, the Message is as follows:—

*The House of Assembly
To*

His Excellency the Acting Governor

The House of Assembly have the honour to acknowledge the receipt of Your Excellency's Message No. 23/1955 dated 15th August, 1955, relative to the construction and equipping of a new Combined Christ Church Foundation School.

The House of Assembly agree that the Government should proceed with the construction of the new Christ Church Foundation School pending the conclusion of legal formalities and the enactment of the legislation to which reference is made in paragraph 6 of Your Excellency's Message.

As hon. members will see, the Message is a very full one, and if they have read it they will see what it amounts to. They know, or should know, that it has been agreed to undertake what is in some respects a very elaborate scheme for the Christ Church Foundation Schools. After considering alternative sites and considering how much money we would have to provide for the Director and the Governing Body were asked to reconsider the possibility of housing the girls on the same site. This they agreed to do, and the Director felt that we could put a first class building there. We have got news from the Colonial Office and from C.D. & W. that we would get the money we are asking for.

In that connection it is general practice to give a grant for a new building, but not for renovations; so we are getting \$240,000 for the new part of the school and we are paying out of General Revenue for renovating. We will have to purchase a certain amount of land in addition to taking over the Rectory; but all that is set out clearly in the Message.

As regards the turn over which both of the bodies will have to make to each other it will be necessary to pass a Resolution in the Legislature. The Legislature will be adjourned for sometime, and workmen of the Public Works Department are now busy on the Pine premises of the Highways & Transport Department, and will in fact be so engaged for another month or so. The Government is therefore asking the consent of the Legislature to go on with the construction of the Christ Church Foundation Schools as soon as the workmen can leave the Pine.

I take it that everybody, would be only too anxious to say "yes" to this Message. I therefore beg to move that this reply be sent from this Chamber.
11.10 p.m.

Hon. C. E. TALMA: I beg to second that.

The question that this Address do now pass was put and resolved in the affirmative without division.

EXPORTATION (DRAWBACK OF DUTIES ON MANUFACTURED ARTICLES) REGULATIONS

Hon. R. G. MAPP: Mr. Speaker, I have just spoken to the Hon. Leader of the Opposition with respect to Item 12—a Resolution to sanction the Regulations entitled "The Exportation (Drawback of Duties on Manufactured Articles) Regulations, 1955". It is a very simple Resolution and it was on the Order Paper for a long time. I am therefore asking for leave to deal with it.

There being no objection, leave was granted the Hon. Minister.

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Trade, Industry & Labour: to move the passing of the following Resolution:—Resolution to sanction the Regulations entitled "The 'Exportation (Drawback of Duties on Manufactured Articles) Regulations, 1955'."

Hon. R. G. MAPP: This Resolution is for administrative purposes.

Under the provisions of Section 177 of the Trade Act 1910, the Governor-in-Executive Committee on the 8th June, 1955, made the Exportation (Drawback of Duties on Manufactured Articles) Regulations, 1955. These Regulations are administrative merely, and seek to establish conditions with which a manufacturer claiming drawback of duty upon the exportation of locally manufactured articles must comply.

You will remember that we have agreed to give drawback of duty on certain local manufactured articles and this is just simply approving of regulations made whereby the Comptroller of Customs who is the administrative authority would be able to keep and check on the articles and to see that the law is strictly complied with.

In accordance with the provisions of the said section of the Act such regulations "shall be laid before the Legislature and shall, when they have received the sanction of both Houses of the Legislature and the assent of the Governor, be legally binding on all persons."

This Resolution seeks sanction for the Regulations. As I have said they are purely for administrative purposes.

I beg to move that this Resolution do now pass.

Hon. M. E. COX: I beg to second that.

Mr. GODDARD: I am in agreement with these Regulations, but I only rose to ask the Hon. Minister of Trade, what has become of that promise for a drawback in another way on rum exported in cases?

The Hon. Premier on the occasion of his Budget Speech promised that he would consider giving a drawback on duty paid on the cases and boxes which were brought in to ship rum. I have not heard that it has been implemented. I therefore, would like the Hon. Minister of Trade to say whether it has been done and if it has not been done what is the cause of the delay?

Hon. R. G. MAPP: I do not have the files before me to refer back exactly to everything which I have heard, but the hon. member will remember that the Premier in his Budget Speech said that Government would give a drawback of duty paid on containers of rum exported but there was a proviso to that, and it was that the money which the exporters got back as a drawback should be spent on advertising the

industry. Since then certain members of the Chamber of Commerce interested in the industry had made a recommendation to me as Minister of Trade that that proviso should be cut out, and that we should adopt the principle of giving them a drawback, but not to lay down conditions.

We consider in our own interest that something should be done to promote the trade abroad because it has fallen miserably in the United Kingdom especially when compared with rum sold from other colonies, such as British Guiana and Jamaica. In the interest of the trade itself they should not keep all the benefits which accrue and do not have some obligations imposed on them.

We are saying that this product should be advertised more widely in the United Kingdom, and probably in Canada, and if they do that they would, so to speak, be using the money to add to their own profits. [A VOICE: Why do you not make the same provision with respect to margarine?] 11.20 p.m.

The point is that so far as the merchants are concerned, they have very serious competition coming from Trinidad in the firm of Lever Brothers. They have dropped their prices to the level of those prevailing in British Guiana.

Surely Barbados' rum will hold its own; it is not a matter of other rums being cheaper. It is said that advertising in the United Kingdom would cost a great deal of money. It would take more capital than one or two people could provide; but in the interest of rum as a whole the sums that should be obtained from these could be applied to the advertising of rum. It is completely different from margarine from Lever Brothers. [A VOICE: What is the difference?] They are getting drawbacks from Trinidad and it was reported to us that they did not get drawbacks. That was the only ground on which he gave them any consideration. Otherwise they would be in the same position as anybody else. We considered that we could put them on the same basis as those in any of the British territories. They do not face that situation in Trinidad; but they have always told us that the United Kingdom is already established there. Barbados exporters should get capital and advertise in the same way as Jamaica and British Guiana.

I may tell the honourable member that discussions on the matter are not closed; we still feel that certain alterations in the interest of the people themselves could be carried out.

Hon. G. H. ADAMS: I thought I had made what I am going to say now quite clear already. I would not make the offer for exemption on more containers, if we only had to have to advertise Barbados' rum to the rest of the West Indies. That is something I have pointed out for years. Everytime I go to England and come back I mention it. Sometimes, hearing I am from Barbados somebody in the United Kingdom say to me: "where can I get some of your rum? I hear that it is very good but I do not see it in the shops here." I generally reply to them: "you do not realise that we have to look for £30 to £40 a year to advertise in the United Kingdom. Well the only thing you can do is to help us by taking off some of the duty."

You have got to advertise in the United Kingdom. Some people are advertising molasses in Canada because you have to do some advertising in Canada. But we should do more.

In advertising rum in the U.K. Jamaica is about a century ahead of us. They have been selling rum to the British Navy. One does not feel

amazed upon seeing about some places in England such advertisements as: "Drink Demerara rum". The nastiest tasting thing that you can drink is Demerara rum. I realise that the Jamaica people have put very much money into advertising and they have made a very good effort indeed. When one sees Jamaica Rum advertised in Picadilly in brilliant lights one realises the interests with which Jamaica and Demerara rum is advertised. I realise, too, that the merchants here would have a long way to go because they are finding that big sums of money have already been expended in this direction; but if we do take off anything we are taking it off only on the United Kingdom trade.

The question that these Regulations be now approved was put and resolved in the affirmative without division.

ADJOURNMENT

Hon. G. H. ADAMS: Mr. Speaker, if this is the appropriate time, I crave the indulgence of Your Honour to say that I have been told of the appointment of a Select Committee to consider and draft a Reply to His Excellency's Message No. 19/1955 relative to the formation of the West India Regiment. As I am likely to be leaving the island on Saturday, I am asking that Your Honour appoint some other Chairman in my place so that the Committee can meet as quickly as possible. If this House is going to adjourn until next Tuesday it would be a very good thing for the Committee to meet and report by next Tuesday. I hope that they will find it possible to do so because the United Kingdom Government has been waiting on us for legislative approval of their proposals. They have agreed to our proposals which are contained in paragraph 3 of His Excellency's Message No. 19/1955 which stated that "the proposals in the despatch may be submitted to the Honourable Legislature on the basis of a financial contribution by Barbados of one per centum of annual revenue less the cost of the Barbados Regiment." In other words they have said "yes" and are only now awaiting Legislative approval from us. 11.30 p.m.

As I am on my feet I am moving the adjournment of the House until next Tuesday. There may be amendments from the Other Place to some of the Bills that we have passed. For example, the Housing Bill. There is also the possibility of amendments to the Transport Board Bill we have just passed and I am suggesting that the House meet on Tuesday, perhaps at 4 p.m. to await any amendments which may come from the other Place.

In view of the fact that the Hon. Leader of the House intimated last Tuesday that we might adjourn for four weeks, I suggest that it would be better to adjourn until next Tuesday. The Other Place hardly ever sits after 4 p.m. It should also be borne in mind that the deadline for the bus Concessionaires is Wednesday the 24th. and if the Other Place passes the Transport Board Bill on Tuesday with amendments we should be ready to consider those amendments on Tuesday. The Government will then be ready by next day which is the last day given by the Concessionaires who are unwilling to go on.

The Rules say that amendments from the Other Place can be dealt with the same day if the House votes to that effect. They do not necessarily have to be printed. I am asking the House to come back at 4 p.m. next Tuesday just in case any last-minute trouble arises in connection with the Government taking over the buses.

I do not think that I am disclosing any secret when I say that we are aiming at hurrying things up so as to be able to take over at least some of the concessions on Wednesday afternoon so that the buses can go out with the rising of the sun on Thursday morning. I beg to move that the House do now adjourn for that specific purpose until Tuesday next at 4. p.m.

Hon. M. E. COX: I beg to second that.

Mr. GODDARD: Mr. Speaker, I am quite prepared to accommodate the Government in anything like this; but I think it strange that we should adjourn to wait for amendments. It seems that we are

inviting amendments. [Hon. G. H. ADAMS: There is the possibility of amendments.] The Hon. Leader of the House assured me that he would adjourn today for four weeks. I think it strange that this development should occur. It is strange that we should adjourn pending amendments from the Other Place.

The question that the House do now adjourn until Tuesday next at 4 o'clock p.m. was put and agreed to without division, and Mr. SPEAKER adjourned the House accordingly.

11.35 p.m.