

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1959

HOUSE OF ASSEMBLY

Tuesday 14th April, 1959.

Pursuant to the adjournment the House of Assembly met at 12.15 o'clock p.m. today.

PRESENT

His Honour Mr. K. N. R. HUSBANDS (*Speaker*); Mr. J. E. T. BRANCKER, (*Leader of the Opposition*); Hon. Dr. H. G. H. CUMMINS, C.B.E., M.D., C.M., (*Premier*); His Honour Mr. L. E. SMITH, J.P., (*Deputy Speaker*); Hon. R. G. MAPP, (*Minister of Communications, Works and Housing*); Mr. F. C. GODDARD; Hon. F. E. MILLER, (*Minister of Social Services*); Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. C. B. SEARLES; Hon. L. St.A. THORNE, (*Minister of Education*) and Mr. E. W. BARROW, B.Sc.

Prayers were read.

MINUTES

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

DOCUMENT

Mr. SPEAKER: I also have the honour to inform the House that I have received the Financial Report of the Accountant General for the month of February this year.

PAPERS LAID

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I am commanded to lay the following:-

The Civil Establishment (General)(Amendment)(No.2) Order, 1959.

The Public Officers Loan and Travelling Allowances (Scheduled Officers) Regulations, 1959.

The Civil Establishment (General)(Amendment)(No.3) Order, 1959.

The Civil Establishment (General)(Amendment)(No.4) Order, 1959.

The Civil Establishment (General)(Amendment)(No.5) Order, 1959.

The Civil Establishment (Teachers)(Amendment) Order, 1959.

The Civil Establishment (Teachers)(Amendment) (No.2) Order, 1959.

Barbados Statistical Service Selected Monthly Indicators - January, 1959.

Statement showing Gross Customs and Excise Receipts for eleven months ended 28th February, 1959.

Annual report of the Commissioner of Police for the year 1956.

The Local Government Election Expenses Regulations, 1959.

The Public Assistance (Interim) Regulations, 1959.

Mr. Walcott and Mr. Straughn entered the House and took their seats.

Hon. F. E. MILLER: Mr. Speaker, I am commanded to lay the following:-

Sixth Annual Report of the Social Welfare Department for the period 1st January, 1956 - 31st December, 1956.

Report on the Treatment of Offenders for the year 1956.

Report on the Treatment of Offenders for the year 1957.

Hon. R. G. MAPP: Mr. Speaker, I am commanded to lay Statement of Post Office advances for the payment of Money Orders to the 31st December, 1958.

Hon. D. D. GARNER: Mr. Speaker, On behalf of the Hon. Minister of Trade, Industry and Labour, I am commanded to lay the Report of the Public Utilities Board for the year 1958.

Hon. R. G. MAPP: I am commanded to lay the Reply to Question No.5/1959 asked by the hon. senior member for St. Lucy regarding the Clincketts Aided Self Help Housing Scheme in St. Lucy.

Hon. Dr. H. G. H. CUMMINS: I am commanded to lay the Reply to Question No. 12/1959 asked by the hon. junior member for St. Lucy regarding Rating and Valuation under the Local Government Act, 1958.

NOTICES

Government Notices were given as follows:-

Hon. Dr. H. G. H. CUMMINS: A Bill to re-enact the Defence (Finance) Regulations, 1940 and to validate acts done thereunder.

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In connection with this Bill, Mr. Speaker, the Government intends to ask for leave to proceed with it in all its stages today. There are copies of the Bill available which the Clerk will distribute to hon. members. The reason why copies of this Bill were not distributed earlier is due to the fact that it was considered as an urgent and confidential matter around which there was a certain amount of secrecy. When I proceed with the motion for the second reading of the Bill, I am sure that hon. members will appreciate the reason why that course was adopted.

I beg to give notice of a Bill to settle the rates of income tax for the year 1959, and to make provision for certain other matters in connection with the levying of the said tax.

Hon. D. D. GARNER: On behalf of the Minister of Trade, Industry and Labour, I beg to give notice of a Bill to amend the Customs Tariff Act, 1921.

Also, A Bill further to amend the Bank Holidays (Amendment) Act, 1959.

PRIVATE MEMBER'S NOTICE

Mr. BARROW: Mr. Speaker, I beg to give notice of a Bill intituled the Hire Purchase Act.

BILLS READ A FIRST TIME

On the motion of Hon. Dr. H. G. H. CUMMINS seconded by Hon. D. D. GARNER, the Bill to re-enact the Defence (Finance) Regulations, 1940, and to validate acts done thereunder, was read a first time.

Mr. CORBIN entered the House and took his seat.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, a Bill to settle the rates of Income Tax for the year 1959, and to make provision for certain other matters in connection with the levying of the said tax, was read a first time.
12.25 p.m.

Hon. D. D. GARNER: Mr. Speaker, I beg to move that the Bill to amend the Customs Tariff Act, 1921 be now read a first time.

Hon. R. G. MAPP: I beg to second that.

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

Hon. D. D. GARNER: Mr. Speaker, I beg to move that a Bill to further amend the Bank Holidays (Amendment) Act, 1959, be now read a first time.

Hon. R. G. MAPP: I beg to second that.

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

Hon. R. G. MAPP: Mr. Speaker, I beg to move that a Bill to re-enact the Defence (Finance) Regulations, 1940 and to validate acts done thereunder be dealt with in all its stages at today's sitting.

Hon. L. ST. A. THORNE: I beg to second that.

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

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, before proceeding with the Orders of the Day, I want to make a statement to clear up one or two points in connection with my invitation to come to England for talks on the extension of the Constitution.

Sir, that there has been a constitutional crisis since this House last met is now a matter of history, and that I am invited to come to England for talks on a further extension of the Constitution is current topic. I want to say that there is absolutely no connection between the two events. As a matter of fact, I intimated to the Governor weeks before this constitutional crisis, in view of the fact that certain extensions of the Constitution of Jamaica had taken place, that we in Barbados felt that we should enjoy the same right, and that invitation came to me from the Secretary of State for the Colonies on the 26th March, so that in as much as there is some doubt in certain circles that one hinges on the other, I want to say at this stage that there is absolutely no foundation of truth that one is dependent on the other. I am going on the question of an extension of the Constitution of Barbados.

At the moment there are certain preliminary talks taking place between the Governor and myself, and at the appropriate stage - I do not know the exact date - I shall be going to meet the Secretary of State for the Colonies. I repeat, the point I want to clear up is that there is no connection between the two things, and that my going to England in connection with a talk on constitutional advancement came weeks ahead of this incident.

Order No. 1 was called.

ACTING CHAIRMAN OF COMMITTEES APPOINTED

Hon. R. G. MAPP: Mr. Speaker, I beg to move in the absence of the Chairman of Committees that the hon. junior member for St. Joseph be appointed to act as Chairman of Committees for today's sitting.

Hon. F. E. MILLER: I beg to second that.

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

Hon. Dr. H. G. H. CUMMINS: Your Honour called Order No.1, but I am asking leave that it be further postponed. Also in connection with Order No.2, I am asking leave that it be withdrawn from the Order Paper as it is not Government's intention to proceed with it because the Civil Service Association for some reason or another has not agreed to it.

Sir, leave was granted earlier to proceed with a Bill of which notice was given today, and I intend to proceed with it now if the House agrees.

Mr. WALCOTT: Mr. Speaker, I do not see how the member can proceed. He gave notice of his intention, but in fixing the Order Paper he wants that Order to be taken as Order No.3 which is a different thing. I am objecting to that being taken as Order No.3 in view of the fact that the Premier said that it was a secret matter which could not have been distributed to members; and in view of the fact that members of the Assembly are not all present, I would suggest to the Premier that he should deal with the matter after he has disposed of the other matters so that members would have an opportunity of seeing this secret document. It is not fair to hon. members not to have been circularised with this. Though it is a formal thing, I still think it is a matter which can be dealt with at a later stage because we have a full day.
12.35 p.m.

Mr. SPEAKER: As long as one person objects, you cannot do it right now. Standing Order 38, Rule 5, says that an interval of not less than five days should elapse between the first and second reading of a Bill unless the House on a motion made and put agrees to deal with it at an earlier date or forthwith.

Hon. Dr. H. G. H. CUMMINS: Sir, I am quite willing to let it stay over for a little while. It is true that the hon. member should have the chance of looking at it; so, as far as I am concerned, you need not put it to the vote. You can go on to the next Order.

**CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT)
ORDER, 1959**

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier; to move the passing of a Resolution to approve the Order entitled "The Civil Establishment (General)(Amendment) Order, 1959."

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, the object of this Order entitled the Civil Establishment (General) (Amendment) Order, 1959, is to make certain changes in the structure of the establishment of the Bacteriologist's section of the Medical Department of the General Hospital owing to the fact that this post has been vacant for some time. Despite several advertisements the Hospital has been unable to obtain a qualified Bacteriologist to carry on the work. The person who is carrying on now is Dr. J. Walcott who resigned some years ago, but has been carrying on in an acting capacity because of the inability to get someone to occupy the post permanently. Therefore, in order to make the office more attractive and with the hope of securing a qualified person, it is proposed to make certain changes.

If you look at the Addendum, you will see that the present arrangement is that the post of Bacteriologist and Pathologist is fixed at \$8,160 per annum and the post of Assistant Bacteriologist at the rate of \$6,720 rising to \$7,680. It is now proposed to put it another way, that is to say, that a qualified person coming on as Bacteriologist and Pathologist with specialist qualifications will now be offered a salary of \$6,480 rising to \$7,440, plus fees, while if he has no specialist qualifications, his salary will be \$6,720 to \$7,680, without fees. As I have said earlier, this arrangement is made with the hope of attracting a suitably qualified person for this office. In case there is one who is qualified by experience and without qualifications, the present salary will remain the same and there will be no fees attached to the office.

I beg to move that this Resolution do now pass.

Hon. D. D. GARNER: I beg to second that.

Mr. WALCOTT: Mr. Speaker, I think that every hon. member in this House will agree to provide this island with any officer which the health services require. There is no doubt in our minds that there are certain jobs in this Island which are to be performed which require qualifications that one cannot acquire in Barbados, and such qualifications which are acquired out of Barbados also make it easy for the person to get jobs in places other than Barbados. That is the case with people in the legal and medical professions generally.

Now, the Hon. Premier said that the reason for making this change and making it more attractive was in view of the fact that they found it impossible to get people at the present salary scale. I am not in any way challenging that statement but I wish to say this. This is about the fourth occasion that I have drawn it to the Premier's attention - and he has not yet replied - therefore, I would draw it to his attention again as regards the appointment of some one in the position of Permanent Secretary for which we gave approval in a Civil Establishment Order sometime ago. I do not know, but it seems to me as if the Press is afraid to give this matter the publicity it deserves because it seems that it will be offending somebody who is in a responsible position in this island or someone who is in some way connected with the daily newspaper.

Now, the same reason that the Hon. Premier is seeking to have us to agree to this Civil Establishment Order is the same reason, in a different context, as when he asked us to agree to a previous Civil Establishment Order for an additional Permanent Secretary to the Civil Establishment because if the Hon. Premier is responsible for bringing down this measure, in the same way he was responsible for bringing down the other Civil Establishment Order to increase the number of Permanent Secretaries to six. If that is so, is he in a position today to tell us why for all of this time they have found no one

suitable to act in that post even if they cannot find someone suitable to fill that post? Surely, the Hon. Premier cannot adduce the same reason to this matter as he has in the case of obtaining a Bacteriologist because the Bacteriologist is not a person whom you can acquire; but you will find people here with adequate and necessary qualifications capable of acting in the post of Permanent Secretary.

The Hon. Premier must remember that these Civil Establishment Orders have taken the place of original Acts in the island in order to increase the staff of the Civil Establishment. I do feel that no responsible Government should have its top administrative posts left vacant for any length of time because it is not good for the Service and the country. It means that the country is not getting the maximum benefit of the services for which you budgeted. It looks as if you do not have the talent here for filling this post of Permanent Secretary. Why of all the places in the Caribbean, Barbados is the only place where you cannot find somebody suitable to act as Permanent Secretary, yet you boast that you have the leading schools in the West Indies?

12.45 p.m.

I do not want to be invidious in calling names, but sometime ago we appointed a Secretary in the person of Mr. R. C. Springer who was considered as an excellent scholar to act in the post. If we take the Premier at his word that they are increasing the salary of this office of Bacteriologist and Pathologist because it is found that it is difficult to attract people at the present salary, and they are making the salary more attractive, then I say in another context you have the people here and I would ask you to hurry up and get people appointed and get what you require by this Resolution. Just as you want the maximum medical staff I say that you should have the maximum administrative staff available for the benefit of the public.

Hon. Dr. H. G. H. CUMMINS: It is true that the hon. member has raised that point on more than one occasion, but I think he will realise that the Government has nothing to do with the appointment of people to offices. The Government creates the office when it is satisfied that the office is necessary, fixes the salary and there the matter ends (Mr. WALCOTT: Oh no.) The appointment of personnel is a matter for the Public Service Commission; that is definitely and positively a matter for the Public Service Commission.

Mr. WALCOTT: On a point of explanation. I never said that the Government should appoint any officer; I say that the policy for the appointment is that of the Government and if the Government says that there must be a Bacteriologist and Pathologist, it is the Government's business to see that the Officer is appointed. I have only mentioned names in order to show the reason why the Government is increasing this salary and it is doing that so as to attract people. The Premier has now come to the Legislature to do precisely what he has done in the Act, that is to say, to make the salary attractive. I ask the hon. member to take the book written by Clement Attlee, which I lent the Hon. Minister of Social Services, and he will see that it is his business to see that somebody is appointed to the post now that it has been created. The Government should say to the Public Service Commission that they are disappointed over the non-appointment of the Officer, whoever he may be. If that is no part of the Government's policy, then there is no point in their going to the Secretary of State for the Colonies to ask him for extended powers. If we carry the Hon. Premier's language to its logical conclusion, then they could make the appointment and the Public Service Commission need not appoint anybody at all. It does not need a Solomon to see that we do have people here who are capable of acting in the post of Permanent Secretary.

Mr. SPEAKER: The hon. member is now going back on his point.

Mr. WALCOTT: I am sorry, Mr. Speaker.

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

ORDER POSTPONED

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Trade, Industry and Labour:- To move the second reading of a Bill to amend the Customs Tariff Act, 1921

Hon. R. G. MAPP: Mr. Speaker, inasmuch as the Hon. Minister who is in charge of this Bill is not now here, I am asking leave that this Order be postponed and that Order No. 5 be taken as the next Order of the Day.

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

CHRIST CHURCH BOYS' FOUNDATION SCHOOL
(SALE OF LAND) BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Education:- To move the second reading of a Bill to authorise the Governing Body of the Christ Church Boys' Foundation School to sell certain land to the Rector of the Parish of Christ Church.

Hon. L. ST. A. THORNE: Mr. Speaker, in my opinion, this is a very simple matter. This is a Bill which seeks permission to carry out a suggestion which was made some time ago by the Acting Officer at the time, a suggestion which would give the Governing Body of the Christ Church Boys' Foundation School the power to sell certain lands to the Rector of Christ Church. When the new Foundation School was about to be constructed, there were quite a number of pieces of land which were more or less needed so as to afford the necessary accommodation for the building. These lands were owned by various people and there was the necessity for the Government to compensate these various people for their possessions. Among these people there happened to be the Governing Body of the Christ Church Boys' Foundation School. Proposals put forward by the Rector of Christ Church and accepted by the Government were to the effect that (a) The Government would be relieved of the obligation to construct a new Rectory and would pay to the Rector the sum of \$20,000 agreed upon as the cost of building a Rectory on the site of the Boy's Foundation School; (b) the Government would buy the plot of land measuring 21,997 square feet originally reserved for a Church Hall for the sum of \$4,399.40, and (c) the Government would sell to the Rector the land and buildings formerly known as the Boys' Foundation School for the sum of \$12,360.00. The increased overall cost to Government is \$359.00.

Accordingly it is proposed that this Bill should seek to give authority to the Governing Body of the Christ Church Boys' Foundation School to sell to the Rector of the parish of Christ Church the land and building formerly known as the Boys' Foundation School.

This is just effecting a sort of exchange of property for the sake of reaching an amicable settlement between the contracting parties - the Government on the one hand and the Governing Body of the Christ Church Boys' Foundation School on the other. I beg to move that this Bill be now read a second time.

Hon. R. G. MAPP: I beg to second that.

Mr. GODDARD: Mr. Speaker, this Bill rightly ties up the exchange between the Church and the Government for the purpose of establishing the new Foundation School. I am very happy that, at this stage, the matter has come to completion because heretofore it has prevented the Governing Body of the School from doing lots of things at the School in order to bring the building to completion. Now we have reached this point that this Bill is being considered, I am again drawing to the attention of the Government Department that the School has been completed, it has been working for the last two years and the playingfields have not yet been completed.

12.25 p.m.
It is imperative if you are establishing schools like this in the island that they must be enclosed. The Governing Body of Foundation School put up proposals to Government, not today, but as soon as possible after the taking over of the

school, for the purpose of levelling these playingfields, to put up certain amenities for the domestic staff, bicycles and things of that nature, and also for the enclosing of the grounds. Nothing has been done; they have just exchanged letters, but this might be one of the reasons why it was never completed. I am asking the Minister now to take note of that because at every meeting of the Governing Body this question is raised. There is an encroachment on the playingfields; they cannot be used because they are so uneven and would need a bulldozer being brought in and having a big job done. I think estimates have been got and presented to the Ministry regarding the entire matter, and I do hope that the Minister will take the necessary steps as soon as possible to have the school completed. Other schools have been built and playing fields have been laid out and enclosures effected - more recently Combermere School - but not at the Foundation School which has been working for two years. These are the reasons why schools are relegated as low-rate secondary schools. There is no reason why that school should not have the same standing as Combermere or any of the other secondary schools, but it seems as if it has been forgotten. The staff is there and it is a good school and can be brought up to a higher standard; and these are things that go to help make a complete school.

I am asking the Government, and the Minister in particular, at this stage to take the necessary steps and come down to the House for the sum of money that is necessary to enclose the grounds and to prepare the playing fields for the children. I think it is the last piece of land that we bought; I do not know if there are any more, but there were some in the Court of Chancery. If that is so, that is in the front and there is no reason why the major part of the grounds could not be completed.

Hon. L. ST. A. THORNE: Mr. Speaker, I should like to assure the hon. member that all necessary steps are being taken to carry out the enclosing of this playing field, but there are a few bits of land which we have not yet succeeded in acquiring; and as soon as we get possession of these bits of land, we will, I am positively sure, undertake the necessary enclosure.

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

Hon. L. ST. A. THORNE: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House went into Committee Mr. STRAUGHN being in the Chair.

Clause 1 and 2 were called and passed.

Clause 3 was called. It reads as follows:-

"It shall be lawful for the Governing Body, by and with the consent of the Governor-in-Executive Committee, to sell and dispose of and convey to the Rector of the parish of Christ Church, the land described in the Schedule to this Act."

Hon. L. ST. A. THORNE: I beg to move, Mr. Chairman, that Clause 3 stand part.

Hon. D. D. GARNER: I beg to second that.

Mr. BARROW: Mr. Chairman, I would like the Minister of Education to give me a little information about these lands. As I understand it, the lands on which the old Foundation School buildings stand were vested in the Governing Body of the Boys' Foundation School. I am trying to find the particular Act which carry out the terms of a Trust vesting 100 acres of land of Gibbons Plantation in the Boys' Foundation School.

I think that when the Government brings down measures of this kind, they ought to bring down the plans so that the rights of individuals and private citizens and also the rights of the Government and the rights of the Board concerned, which is the Governing Body of Foundation School would be adequately protected. It is not good enough to come to the House and say you want to give permission for this land to be sold to the Rector if you are going to encroach upon any private rights. Now it does appear from what the Minister for Education has said that there are negotiations in progress concerning some private land which may be adjacent to the lands which form the subject matter of the Schedule to this Act. I wonder whether the Minister has any of the plans relating to the land which they are now asking permission to sell to the Rector of the parish of Christ Church, because we would like a little more information about that. I wonder if the Minister could give us some information about the rest of the property. Few people in Christ Church and fewer still in the Island of Barbados, if that is possible - but certainly not many more in the island of Barbados - are aware that the Governing Body of the Boys' Foundation School is supposed to have over 100 acres of land at Gibbons Plantation, and also certain annuities the details of which are also embodied in the Act which I am looking for which were left in Trust for the educational purposes of this school. That is something on which I am sure the public would like to have some information. I hope that the same thing that goes on with the Lodge School and Codrington College is not happening to the property of Foundation School, that is, that the land is being leased out to some plantation at pepper-corn rent, and Government is underwriting the total cost of running this school while a private body or private person is enjoying the full rights and profits from the property which should be used purely and solely for the purpose of the Governing Body of The Boys' Foundation School. Perhaps the Minister can give me some information about that.

1.05 p.m.

In the meantime, I have asked the hon. junior member for Christ Church and, apparently, the Governing Body of the School has not considered this matter for a long time because he has been connected with the School for a considerable period of time and he has no recollection of it at all.

Hon. D. D. GARNER: Before the Hon. Minister replies, I should like to tell the hon. member who has just spoken that the 100 acres of land is being dealt with at present in my Ministry, and it has nothing to do at all with the proposition with which we are dealing. I would be very glad if he would not press for any answer on this matter because I would not like to divulge anything at this stage as the matter is rather confidential at the moment. I would say that this matter is now under very active consideration by the Government. I will appeal to the hon. member not to press for a reply; I will only say to him that the matter is now being discussed in my Ministry and it is at a stage where we do not want to pass on any information to the public. As the hon. member knows, when you are dealing with certain things, there are stages where you do not let out what you are doing to the public. If this thing materialises, well then, not only the House will know but the public will also know. I repeat that the matter is at the stage now where the less that is said will be better for all of us.

Mr. GODDARD: Mr. Speaker, I know that there is something like 100 acres of land known as Parish Land which is let in small holdings, the rent of which is paid in to the Governors of the Foundation School, and from that, scholarships are provided for the children there. If there is any more land I would like to know of it today, whether it is a secret or otherwise. I have been a member of the Governing Body for the last three years and, as I have said, the only land I know that is owned by the School is at Parish Land. I will go further and say that the Governing Body offered to sell that land to the Government because we considered that it would make a useful housing development and because we could do with the money from the proceeds of that sale. The rents which we get from this 100 acres of land are very small indeed; as a matter of fact, it is a small pepper-corn rent and

the Collector of Rents has the greatest difficulty in getting it is. As I have said, I know that this land was offered to the Government and to my knowledge the Government said that they did not want it. That is what we were told and we are interested in selling it. If Government does not buy it we will offer it to somebody else. Of course, we would have to get the sanction of the Legislature for that purpose.

Sir, I do not know what can be so secretive about this matter that we cannot know of it today. If the Hon. Minister can rise again and apprise me as to whether there is another lot of land which I do not know anything about or whether the land to which reference is made is this Parish Land I would be happy to learn.

Mr. WALCOTT: It is very refreshing in this Committee to hear this matter being brought up and what has arisen out of the remarks of the hon. junior member for St. John. It is a revelation to me and it raises a point which I was going to raise earlier, but one which I did not raise because I felt that as this matter concerns the constituency of the hon. junior member for Christ Church, I am one who does not like to raise matters arising out of something which concerns other members; constituencies.

Now, since this broad and important matter has been raised I would like to say this. The Hon. Minister of Agriculture said that there are certain matters of which at certain stages it is better that the public should not know, and that this matter is in a position where it is better that it should be kept secret. We know that there are certain matters which some people try to hold a secret. Sometime last week the Chief Minister of Trinidad dealt with a matter secretly in the Legislative Council, but we must agree that the Chief Minister of Trinidad is a person who makes a mountain out of a mole hill.

What I am pleased to hear is, after the hon. junior member for St. John made that revelation, the hon. junior member for Christ Church made the revelation about the pepper-corn rents which are got from that land. I never knew that to exist. I know the Parish Land and I know Gall Hill where the Government has its housing scheme. I will say that there is nothing wrong in principle, if the Gall Hill land costs £X, in giving the equivalent money to the Foundation School. I know that you cannot take away the land from them, but you certainly can initiate a more profitable housing scheme with that land. This is something which the Hon. Minister must get somebody to advise him about. From my own experience I have found out that the Government owned land in Bay Street which nobody knew that the Government owned. Whether this matter falls under the portfolio of the Minister of Education or the Government as a whole, they should go into this question, that is to say, if this school owns land and if the Government has had to provide so much money to build it then the Government should take over that land if the Governing Body is willing to sell that land. The hon. junior member for Christ Church has clearly said that if the Government does not want it they are willing to sell it to somebody else.

I will say this: although Barbados is one of the important places in the Federation - it is one of the three major units - it has the least Crown lands. Trinidad and Jamaica possess more, and with the exception of Antigua I do not believe that there are territories with less Crown lands than what Barbados possesses. I, therefore, say that it is time that this Government should acquire all the land it can, especially now that it requires land for housing development. We cannot find enough land for housing schemes at present. If this land is at Pilgrim Road, just off Providence Church, and you go behind there, you will find that it is a fertile field for housing development and will be as good or better for a housing scheme as that of Gall Hill. It is an excellent area for housing development. It is a place where you can tie the road from Wilcox land in until you get to Providence Church. It is a lovely site for development and if you are going to develop it in a big way, you have the Armitage School higher up the

road which you can do away with and erect a school within this area. As a matter of fact, there is not much of a playing field attached to the Armitage School and it is on a main highway.
1.15 p.m.

This is an opportunity which the Government should accept. I say that if you get one of the members of the constituency and a member of the Governing Body in that way - the Government has to give consent to the Governing Body of the School, anyhow, to agree to the sale of the land, and the Government should acquire it. The Government should do that so that you will be carrying out the purpose of the Bill and you will also be giving the Foundation School something. If the Foundation School gets that money, that will reduce the subsidy which you now have to pay; it means that the Government would not have to use that money for providing Scholarships because the money would have been already provided. We cannot say that we have reached the limit of providing secondary Scholarships in Barbados and that there is no need for more secondary education. The rising up of these secondary schools clearly shows the need for more secondary education, and this education should be on a better scale than that which is provided by the private people who are making it a paying affair.

Mr. BARROW: Mr. Acting Chairman, I do not believe in government by conspiracy but in government by consent. In order for the Government to have consent for anything to be done in the name of the people, the people should have a full knowledge pertaining to the matter in issue. It is with that premise that I propose to talk on the invitation - I do not know what to call it, whether it is a solicitation or otherwise - of the Minister of Agriculture in connection with any matter or discussions or facts pertaining to the ownership of this one hundred acres of land by the Governing Body of the Foundation School that that should be kept on any hush-hush and conspiratorial basis. Some time in 1809.....

Hon. D. D. GARNER: On a point of order. Why does the hon. member speak like that?

Mr. BARROW: You do not start a point of order by asking a question.

Hon. D. D. GARNER: There is no question of any conspiracy; the hon. member should carry on the debate on a higher level than that. I particularly said that the Government was negotiating and the matter was at Cabinet level and that he should not press me to say certain things before the deal goes through. Why should the hon. member talk about conspiracy?

Mr. BARROW: They have no right to be negotiating because the land does not belong to them. I was saying that in 1809 at the laying of the foundation stone, reference was made to the fact that the school building had been erected through subscriptions of the parishioners of Christ Church. Reference was also made to the ownership of these 100 acres of land which had been donated to the Rector, the Members of the House of Assembly and four Vestrymen of the parish of Christ Church as trustees for educational purposes in the parish for the Boys' Foundation School. We will now begin to talk about conspiracy. It was because that school had formerly been restricted to people of a certain complexion - also referred to in the Statute Books of this island - that they came to the House of Assembly nearly a hundred years later and asked the Government, which was comprised of people of European origin, to regularise the position, because nobody knew how long this money was lying there - it could have been two hundred years beforehand. This request should have been made even before the foundation of Harrison College and the Masonic Hall

Mr. CHAIRMAN: Is the hon. member speaking on conspiracy only?

Mr. BARROW: In connection with the Foundation School. The land would have been separated if they had not done something to make it clear that this land did not belong to any individual in Christ Church or the manager

of Pilgrim or Gibbons Plantations. When the members of the House put the matter on the Statute Book, they recited the whole history of the Francis Williams Trust; they stated, and it was clear, that this property contained 100 acres of land and it is described as "a piece of land containing by estimation one hundred acres or thereabouts butting and bounding on Pilgrim Place, Balls, Gibbons and Wilcox Plantations or however else the same may butt and bound (hereinafter referred to as the said school land) - not parish land - I am glad to see that the hon. senior member for Christ Church has come into the House because he will be able to throw some light on the position. It was set out on the Act that the land was vested in the Governing Body of the Christ Church Boys' Foundation School under one condition. In 1958-59 we have been talking about enacting legislation in Barbados against discrimination and this is the first Act in the history of Barbados in which you will find any reference being made to discrimination; you will find it right here in the Christ Church Foundation School Act. In the last Section of this Act, you will find that this land was vested in the Governing Body of the Boys' Foundation School on the condition that boys of any complexion shall be admitted to the school as day pupils on the payment of the fee for tuition to be fixed by the Governing Body and approved by the Education Board.

That was the first bit of anti-discrimination legislation which we have had on the Statute Book and hon. members of this House do not know about it. The Hon. Minister of Agriculture seems to be ignorant as to the existence of this Act on the Statute Book; this is something which is not to be concealed because anyone who is interested in education could go right back and trace the origin of our educational institutions. The hon. member says that they are discussing this matter at Cabinet level. We have two members of the Governing Body of the School over here on my right - in fact, I should say that they are two former members and one is now an active member of the Governing Body of the School - and neither of them can tell you that the Government has approached them in order to see if they are doing anything with the property which belongs to the Governing Body of the Boys' Foundation School.

Hon. D. D. GARNER: On a point of order. That is not a fact because the hon. junior member for Christ Church has already said that we are negotiating with the Board to acquire one hundred acres of land and that land has nothing at all to do with this Bill which is before us. That is a separate and distinct property. I particularly said that the Government is now negotiating for the purpose of taking over the land. We were written to because we would have to pass an Act to allow the Governing Body to sell it. The Government wants to take it over and I have said that it would not be good business if we got on the floor of this House and talked business while negotiations were still going on.

Mr. BARROW: Mr. Chairman, is that a point of order?

Mr. CHAIRMAN: The point of order has been made.

Mr. BARROW: Such as it was.

1.25 p.m.

Now 18 months ago or thereabouts the Governing Body of the Christ Church Foundation School offered the Government of Barbados this land. Nobody has disputed that, but I am talking about these secret negotiations which are going on. When is the last time that they have met a Committee of the Governing Body or sent correspondence? I would like the Minister to disclose whether they have taken up or considered the offer. If all they are doing is considering the offer, what is there secret about that?

Let me tell you what the conspiracies are, Mr. Chairman; land was bought at Cave Hill from a private individual by this Government at a time when the person who owned the land was being sued in Court for specific performance and had not paid the money for the land; this Government advances the money to pay for the land at a price far over

and above what had been paid for that particular piece of land a few short weeks before. I remember the debate well when the hon. senior member for the City came here and made them postpone it for a week, and when he came back in the whole thing had already gone through because he said he did not know anything about it, but apparently in a week's time he found out everything about it.

At present in St. Peter the Government is negotiating again for a Housing Scheme, and I think they should come and tell the people what they intend to do and why they intend to do it. If there is any secret, the secret would be the secret of the Governing Body of the Foundation School and not of the Government, because the Government is the people of the island. Let me say this now; you should have a secret about the new duty on beer; that is what you should have a secret about and I invite the Minister of Agriculture to consider that carefully.

Mr. CHAIRMAN: I would ask the hon. member, so that I would be able to follow more clearly, to speak in connection with this Bill.

Mr. BARROW: It is all concatenated to what I am talking. You cannot have a secret about this, but apparently you have been trying to keep this a secret from the people of Christ Church for the past fifty years because the land is really school land. A hundred acres of land is a considerable amount of property for the parish of Christ Church where land values are high, and this land is some of the most fertile land, as the member for St. Peter has explained. It is around Wilcox, Pilgrim and Gibbons - a lovely plateau of land which belongs to the Governing Body of the Foundation School, and they are not getting economic rents for that land; so the taxpayers have a direct interest in that.

If the Government intends to liberalise the system of land tenure in the island and in Christ Church in particular, I feel that the Minister of Agriculture should have the courage to come to the House of Assembly and tell the members that "we have an excellent place to start our new system; we are negotiating with the Governing Body of the Christ Church Boys' Foundation School to purchase this 100 acres of land from them;" but the minute I mentioned that the Christ Church Foundation School owned this land, the Minister got up and enjoined me to silence. I did not come here to keep my mouth closed; I came here to represent people and to tell them what is going on in the country.

I would like to say this: before I came here today, like the hon. junior member for Christ Church who is a member of the Governing Body, I did not know that the Government had some discussions going on because they never intimated either to the general public or the Governing Body of the School - and that is a fact - that they are considering the matter at the present moment. They cannot call them negotiations because you cannot have unilateral negotiations; you only have unilateral negotiations in a totalitarian country. Do you mean to say, Sir, if I may just draw a little analogy, that you can go and negotiate about the sale of my own private property without letting me know anything about it? The negotiations, since they cannot be unilateral, must be between the Government and somebody else. Who is that person?

Hon. D. D. GARNER: On a point of order, I think the hon. member should know that the matter is before the Cabinet and we cannot come down here and divulge matters which are before the Cabinet, and he should not try to fool the people. When matters are before the Cabinet they cannot be discussed; until a decision is reached you go forward but until that matter is disposed of by the Cabinet it is not disclosed.

Mr. BARROW: If the hon. member does not want to answer, it is a matter for him. If he is under an oath of secrecy about this matter, I am not. I have the Statute Book of Barbados here for 1906 on the Christ Church Foundation School Act, and I am going to ask a rhetorical question even though it is going to fall on deaf ears. I want them to let the public know, if they are not negotiating with peo-

ple who own the land, with whom are negotiations being carried out.

Hon. D. D. GARNER: Mr. Chairman, on a point of order, I am willing to answer that.

Mr. CHAIRMAN: The Chair considers that question out of order.

Mr. BARROW: Mr. Chairman if he wants to answer, he can. I think he has changed his mind, the conspiracy is abandoned and I am glad because they are learning democratic procedure. If you are negotiating with somebody you should have the decency to tell the Foundation School that you are negotiating with somebody. I am not going to say what I feel is going to happen, but I will warn members to watch carefully and write down what he says and see what will happen. I am very glad that the Minister is going to tell us with whom he is negotiating because that was my main object. I hope I did not goad him into a confession, but that was my main object in getting up here and talking about this matter because I do think it is properly a matter which should be acted on. It surely must be a matter of broad and general policy, because the next time they may be coming in my parish or in my constituency and negotiating with the Society for the Propagation of the Gospel for the sale of Society lands to put up a public market or something like that, and these are matters of public and general interest. I am not criticising the Minister for this; I am criticising him for being conspiratorial about it, and if I have succeeded in bringing the matter into the open, I think I would have accomplished what I set out to do.

Mr. CHAIRMAN: Would you care to withdraw the allegation that the member was conspiratorial?

Mr. BARROW: The hon. member did not ask me to withdraw, but if he thinks that I called him a conspirator, I will withdraw. I do not believe in government by conspiracy; I believe in government by consent.

I will tell the Minister this in conclusion; if everything is above board, do not be afraid to tell the Opposition or members of your own Party what the plans are unless it is something from which somebody may make unjust enrichment, and you have so much power under the Compulsory Land Acquisition Act that you do not have to fear any unjust enrichment as long as you do not allow too many middle men to come between the Foundation School and yourself.

Mr. TALMA: Mr. Chairman, while we are on this question of the Foundation School, I am in agreement with the part that the Government will sell to the Rector the land and buildings formerly known as the Boys' Foundation School for the sum of \$12,360, because we need more accommodation for children in securing secondary education, and already this old school building has been utilised for that purpose. I am very happy to see that that is going through and that the Rector of the Parish will be given the opportunity to continue the good work which he has already started.

1.35 p.m.

In other words, we not only would have the present new Foundation School with accommodation roughly for 800 children in all - 400 boys, 400 girls - but we also would have accommodation for 250 children in the old building which is now a private secondary school. This would provide ample accommodation for the children of Christ Church and part of St. Philip who wish to take full advantage of the facilities by way of secondary education in this area.

On the question of Parish Land, I want to make my position clear. I refer to the hundred acres of land which are vested in the Governing Body of the Foundation School. I do not know what the Hon. Minister in charge is doing at present, but I would be glad to learn if he is doing something to help the tenants of this area of land. I want to tell this hon. Committee that it was back in 1951 when ejectment notices were issued to the tenants of this land, as well as other repressive measures were brought to bear on them. At that time I was not a member of this House

nor was I a member of the Governing Body of the Foundation School, but I had to intervene and I had a petition prepared on behalf of the peasants and workers on that land. I may say that my colleague was not a member of the Governing Body of that School in 1950-51 when I had the occasion to draw up a petition to represent the peasants and small holders of this land against the then Governing Body whose members were taking undue advantage and bringing pressure to bear on the tenants who rented that land. As fortune would have it, I secured a seat in this House in 1951 and one of my first functions was to change up the composition of the Governing Body of that School; the Governors then who were more pressing and repressive on those tenants were no longer members of the Governing Body of that School.

This story of the Government trying to secure this land is an old story. There were negotiations which were going on for a long time though not as firm as they are at present. It was always the intention of Government to take this land and start a land settlement scheme although that is dreaded by certain authorities here. This is an ideal case where you can have a proper land settlement scheme or you can work it out on a co-operative basis as the lots may be considered small. However, I would say on behalf of the present tenants of the land, in their position they can hardly pay any more rent than what they are paying now; and if Government acquires this land and increases the rents or makes conditions harder for these people, it would certainly not be helping those tenants who are occupying and deriving a livelihood out of this land. Whatever scheme Government may have in hand, whatever steps are taken to acquire this land from the Foundation School, I hope in the final analysis it would not be detrimental and repressive to the tenants and occupiers of this land.

Sir, I can tell you that the majority of them have lived there for the last thirty or forty years and in many instances longer than that, because the land has been handed down to the present holders by their fathers and forefathers. I would like the present Minister of Agriculture to give us the assurance that whatever scheme he has in mind as regards this land, in the final analysis it would not be detrimental to the interest of those tenants who are at present occupying this land.

As far as the negotiations are concerned, I am not going to enter on that but I will just say that that is no secret. Let me tell the Hon. Minister that the Members of the Governing Body of the Foundation School are not sworn to secrecy and they are probably about eight or nine members. Then you have the headmaster and the headmistress as well as their secretaries; therefore, you cannot regard this matter as strictly confidential and secretive. I would not use the word conspiratorial as was used by the hon. junior member for St. John.

Mr. CHAIRMAN: I would just like to correct the hon. senior member for Christ Church. The suggestion of anything conspiratorial was withdrawn by the hon. junior member for St. John.

Mr. TALMA: I heard that word used very often for the few minutes I was in here. However, I am merely making the point that my remarks are in contradistinction to anything conspiratorial. I was only saying that in this transaction, there is no need for secrecy because there are too many people who are ~~fait~~ with the negotiations which are taking place. It would be well if all land transactions were to come under the Minister of Agriculture, Lands and Fisheries because that is what he is to see about. Speaking according to my knowledge of how things are done in matters with respect to land, there are many Ministers of Lands. As a matter of fact, each Minister is a Minister of land in his own portfolio. I am saying that for the benefit of my colleagues on this side. In matters educational, just as this is, the Minister of Education is the Minister of Lands because this is land affecting school property. In matters affecting the acquisition of land or acquiring land, I do not know who is the Minister concerned with that; I do not know whether the Premier sees after

that himself as was done by the last Premier who negotiated for the land at Rockley Beach and that at Six Cross Roads, although as it turned out the then Minister of Agriculture got a lot of blame for it. In this matter, Sir, I am not attacking any Minister; I am not in a position to do so. What I do hope is that a proper price is paid for the land which is acquired from the adjoining owners to be utilised for this purpose.

1.45 p.m.

There are other parcels of land which adjoin the old Girls' Foundation School and which are at present being negotiated for and that land is the land abutting the main public road and land which should be sold and acquired on a square foot basis. To attempt to purchase that land, not on a square foot basis, but by the half acre or acre, would be unfair and inequitable to the average owner of the adjoining land. I would like the appropriate Minister who I think, should be the Minister of Education, to make a note of that, because an undue hardship and an undue advantage, I would say, is being taken of adjoining owners of land under the Compulsory Purchase Act. I think that in this case, however, the people are willing to allow the Government to have the land, but the compensation should be paid on the square foot basis. This land is not agricultural land which can be bought by the acre; it is land for building purposes and land which, I repeat, should be acquired on the square foot basis. I would like the appropriate Minister to bring the matter to the attention of the Queen's Solicitor who handles matters of this kind; every businessman knows that land abutting the main public highway near Oistin's Hill and abutting Gall Hill Road is land which is being sold today and for the past few years on a square foot basis.

In closing my remarks, Mr. Chairman, with respect to the hundred acres of land known as parish land, I hope that if and when the Government acquires that land, no dispossession or notices to quit or no embarrassment will be caused to the present tenants. As to the question of the arrears of rent, if any, I hope that that will be a matter of negotiation and that these tenants will be given ample time to pay off any arrears which may be due and owing. These people plant sugar cane and they contribute towards the Labour Welfare Fund. I am hoping that all of them have benefited under this fund and whatever the allowances are to which they are entitled.

Mr. BARROW: Before the Minister replies, Mr. Chairman, there is one thing which I would like to find out. This raises a point in connection with Ecclesiastical Law and I do not think that there is any competent ecclesiastical lawyer in this island - I would not say there is no such lawyer in the West Indies. The question is whether it is permissible for the Governing Body of the Christ Church Boys' Foundation School to sell land to the Rector of Christ Church. I know that the Bishop of London is a Corporation sole and the Anglican Diocesan Synod has power under the Church Act to hold land and buy it, even if it may be contrary to the Statutes of Mort Main and the Rule against Perpetuities. I do not know the authority of the Rector of Christ Church to buy or sell land and I would like to have the matter made clear in the Bill which is now before the House, whether the Rector is buying this land in his own right, to run a school for his own benefit, or if it will be for the benefit of the Diocesan Synod. If the Hon. Minister is doubtful about the matter I would like to ask him to send this Bill back to the Legal Department and let them think the matter over. I do not want to believe that we are vesting land in the Diocesan Synod when we are vesting it in the Rector himself. We are not particularly sure at this juncture whether the school which is being carried on there now is being carried on as a private undertaking by the Rector, which is a very laudable one at that, or whether it is being controlled by the Bishop and the Synod of the Anglican Church.

Hon. L. St.A. THORNE: Mr. Chairman, in replying to questions which have been put by hon. members, I want to say that I am a bit surprised at the course which the debate has taken. The literature which is provided in the Bill before the House states that the portion of land of which we are thinking is a portion situate in the parish

of Christ Church and containing by admeasurement 24,800 square feet, bounded on the north, east and south by lands forming the Glebe Lands of the said parish and on the west by Glebe lands of the said parish now in the occupation of the Governing Body and the buildings thereon formerly known as the "Boys' Foundation School."

A brief history of this matter states that nearly four years ago, when it was contemplated constructing the new Foundation School, it was found that it would have been necessary to acquire certain plots of land which were privately owned and it was not proposed to construct the new school on the site occupied by the old building. This matter was thoroughly gone into, and a Message from His Excellency the Governor pointed out that the proposals for acquiring these lands would require or involve certain conditions: firstly, that the acquisition of the seven plots of privately-owned land adjoining the Church and School property would be more or less implemented.
1.55 p.m.

Secondly, there would have had to be the exchange of certain property owned by the Church. This property was vested in the Governing Body of the Christ Church Foundation School. The contracting parties from what I have been able to discover were able to agree to certain proposals, and the proposals pertaining to the section which more or less deals with the exchange of land state that in respect of the proposals in connection with the exchange of the property - Church and Foundation School - the following have been submitted to Government, approved by the Governing Body of the Christ Church Foundation School:

(1) that the Government would provide a suitable Rectory on the site of the existing Boys' School and allow the Church the use of the material and so on for the purpose of building a Church Hall;

(2) that the Church would reserve a small area of the eastern end of the Rectory lands on which to erect a Church Hall and the remainder of the Rectory lands should be taken over by the Government including a strip of land approximately twelve feet wide running the whole length of the Rectory on the opposite side of the road.

(3) the difference in value of the exchange of the two properties to be made up by the Government by a cash payment;

(4) that the Government would acquire from the Church the Memorial School Hall and lands and the remainder of the Glebe Lands required for the purpose of the new school.

While all these stipulations have been carefully gone into, there was a point when it was noted and the Government was advised that although the existing Christ Church Boys' Foundation School is vested in the Governing Body of the School, that the Governing Body had no power to sell the property, and that it would accordingly necessitate the approval of the Legislature for the purpose of effecting these sales and exchanges. All that business has been gone through and we have reached the point where we have come down to the House with a Resolution asking that the necessary permission be given to the Governing Body of the Foundation School to effect this exchange. This has got absolutely nothing to do with the hundred acres of land about which we have been hearing so much talk.

The question that Clause 3 stand part was put and resolved in the affirmative without division.

Hon. L. ST.A. THORNE: Mr. Chairman, I beg to move that the Schedule stand part.

Hon. F. E. MILLER: I beg to second that.

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

Hon. L. ST.A. THORNE: Mr. Chairman, I beg to move that Your Honour do now report the passing of one Bill in Committee.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. CHAIRMAN reported the passing of the Bill in Committee.

Mr. SPEAKER resumed the Chair.

SUSPENSION OF SITTING

Mr. SPEAKER: It now being 2 p.m. of the clock, this Sitting now stands suspended until 2.30 p.m.
2.00 p.m.

On Resumption.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, there is no quorum and I am asking that you instruct the Clerk to ring the Bell.

The Bell was rung and a quorum was obtained.

Mr. SPEAKER: Just before the Suspension, the Chairman of Committees reported the passing of one Bill in Committee.

Hon. L. ST.A. THORNE: Mr. Speaker, I beg to move that this Bill be now read a third time.

Hon. F. E. MILLER: I beg to second that.

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

On motion of Hon. L. ST.A. THORNE seconded by Hon. F. E. MILLER, the Bill was passed.

Mr. WALCOTT: Mr. Speaker, this is very unusual. I thought this was supposed to be Private Members' Business time.

Mr. SPEAKER: It is really Question Time.

Mr. WALCOTT: If there are no questions to be answered, then we go on to Private Members' Business.

Mr. SPEAKER: I had to make that announcement because it so happened that 2 p.m. came and precluded any announcement on that matter, but Question Time really takes place first.

QUESTION TIME

Question Time was called.

PRIVATE MEMBERS' BUSINESS

Private Members' Business was called.

Mr. SPEAKER: The House will now revert to Government Business.

Mr. WALCOTT: Mr. Speaker, you have to call the Orders of the Day under Private Members' Business because we have an Order Paper.

Mr. SPEAKER: If I call Private Members' Business twice and no hon. member intimates that he wants to do Private Members' Business, it is not for me to call the Orders of the Day; he should get up and announce his Order as No. so-and-so.

Mr. WALCOTT: Let me remind you, Mr. Speaker, that on the last occasion it was on your request that the Minister be allowed to speak, and as he was not here, I thought I would have been consulted as to whether I was going to exercise my right and continue the debate because the debate continues on Order No. 1. We have Orders under Private Members' Business in the same way as Government Business, and I take it that the same way Mr. Speaker calls the Orders under Government Business, he should call them under Private Members' Business if it is to be done in a consistent manner. If the Minister is not here, you want to know if somebody wants to continue, because I cannot get up and speak as I was not speaking on the last occasion. The Minister for Trade was speaking; he is not in his place, so why can't the same thing that was done last time be done now?

Mr. SPEAKER: I called Private Members' Business on two occasions, but up to now no hon. member has given the slightest intimation that he wants to proceed with

Private Members' Business. What am I to do? Keep it open for an hour? If any hon. member wants to continue on Private Members' Business, he is to let me know he wants to continue. That is all.

Mr. WALCOTT: Mr. Speaker, you are not paying attention to the written Order Paper. It is not my Order any longer; I cannot get up and speak on Order No. 1.

Mr. SPEAKER: If an Order stands in the name of an hon. member, it remains standing in his name; Mr. Speaker cannot change it from standing in his name. 2.35 p.m.

Mr. WALCOTT: I take it that in the same way that the Speaker can call Order No. 1 of Government Business, surely, he can call Order No. 1 of Private Members' Business. I cannot get up and speak on Private Members' Business because I am not the person who was speaking under the Order which stands under my name. The Hon. Minister of Trade was the person speaking.

Mr. SPEAKER: I have called "Private Members' Business" two occasions and up to now, no hon. member has given any intimation that he wants to get on with Private Members' Business. If the hon. senior member for St. Peter wants to proceed with his Order, just tell me that.

Mr. WALCOTT: You are not paying any attention to the written Order Paper. That is not my Order any longer. It says: To resume debate on the passing of the following Resolution:— Resolution re Report on the Sugar Industry by Mr. A. F. McKenzie. Lower down, you will see that the Hon. Minister of Trade was speaking when you suspended the sitting of the House.

Mr. SPEAKER: If an Order is brought down in the name of an hon. member, it stands unchanged in his name. How can I change any name? What I say is true and remains as true. The hon. member can proceed with the Order.

Mr. WALCOTT: That is not so. If a debate is in continuation and someone is speaking, it is the Speaker's business to call on the hon. member who was speaking to find out whether he wishes to continue.

Mr. SPEAKER: The Hon. Minister of Trade who was speaking on this matter is not in his place now and I understand that he is not in the Island. On the last occasion he gave me the intimation that he wanted to continue his speech but he has left the island and has not given me the intimation that he wants to hold up the debate. The hon. member is free to continue with the Order if he wants to do so.

Mr. WALCOTT did not reply

Mr. SPEAKER: We revert to Government Business.

HOUSE RESUMES CONSIDERATION ON CHRIST CHURCH BOYS' FOUNDATION SCHOOL (SALE OF LAND) BILL, 1959.

Hon. L. STA. THORNE: Mr. Speaker, I beg to move that this Bill be now read a third time.

Hon. D. D. GARNER: I beg to second that.

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

On motion of Hon. L. StA. THORNE, seconded by Hon. D. D. GARNER, the Bill was passed and cited as the Christ Church Boys' Foundation School Sale of Land Act, 1959.

DEFENCE (FINANCE) REGULATIONS (RE-ENACTMENT AND VALIDATION) BILL, 1959

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I take it that I am in order to proceed now with the Bill - Defence

(Finance) Regulations (Re-enactment and Validation) Bill, 1959 - of which notice was given earlier.

Mr. SPEAKER: You may proceed.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I should expect that hon. members are aware that this Exchange Control Bill has been in operation ever since the last World War started. It is really power given to us under the Defence (Finance) Regulations of 1940 which were made under the Imperial Emergency Control Powers Act of 1939. The powers granted by that Act were renewed from year to year until 1945 and when the war came to an end the Supplies and Services (Transitional Powers) Act was passed and as a result the Exchange Control continued to operate under that Act.

It was hoped with the passing of this Act that most of the colonies would have enacted such legislation as they would require according to the model which was prepared by the British Government. Certain colonies did take advantage of that model Act and passed similar legislation. Jamaica passed a similar Act in 1954 and British Guiana did not do so until last October. Trinidad and Barbados did not pass any legislation according to that model Act. I would say that in 1952 Barbados attempted to pass similar legislation and, as a matter of fact, the Bill was drafted but for one reason or another it was not continued. We continued to operate under this United Kingdom Control Act of 1947 and it was hoped that, this legislation being on the Exclusive List of the Federal Government, the Federal Government would have by this time enacted legislation to control this exchange. For one reason or another, the Federal Government did not pass it and, as a matter of fact, they have quietly said that they cannot pass it until May and that the other colonies who have not such legislation on their Statute Book can go ahead and pass it until such time as the Federal Government passes it.

As I have said, Sir, this Act - the United Kingdom Exchange Control Act - under which we were operating came to an end a few days ago. Consequently, with the Federal Government being unable to pass similar legislation until May, the colonies such as Trinidad and ourselves who did not pass legislation according to this model Act have to act quickly and pass such legislation in order to control exchange and to bring in this Defence (Finance) Regulations Bill.

Hon. members will remember that just a few days ago - just last week Wednesday or Thursday - Trinidad hurriedly summoned a secret meeting of their Legislative Council and took all precautions to keep this Bill secret. They even went so far as to clear the Visitors' gallery because they considered it of such great secrecy and of such great importance.

2.45 p.m.

As I said earlier today, that is the reason why the Government sought your permission to deal with this Bill through all its stages today, and I apologised earlier to the House to the effect that, because of the nature of the Bill, it was thought unwise to circulate it. We are asking the House to agree to the passing of this Bill today, and the Other Place will deal with it in a day or two and the Federal Government, on whose Exclusive List the matter stands, will be able to pass it and give effect on such date as the Governor-General may by proclamation published in the Official Gazette appoint. That briefly is the history of this Bill. It is quite a short Bill and it will not result in any change in exchange control in Barbados. We cannot make any change in Barbados because the stipulations and regulations and practice of this Bill extend to the whole Colonial Empire; therefore, what we do here today is being done in all the Colonies to which this Bill applies.

As I said earlier, a model Bill was drafted by us. That was a voluminous document but the form which we take to deal with it today is considered to be very much simpler because of its nature. That is to say, this is not permanent; it is of a transitional nature and it is felt that we can enact a short Bill which will have the same effect

as the model Bill which had been drafted. I suppose that it is quite obvious to hon. members why a Bill of this sort should be considered as a secret. It is not a conspiracy; I say that because I heard that word used very frequently today across the Table. Naturally we know what it means in these times when currency is under control, not to have legislation in effect to control the leaving and exchange of currency, whether soft or hard currency.

Mr. Speaker, that briefly explains the "Objects and Reasons" of this Bill. I beg to move that this Bill be now read a second time.

Hon. D. D. GARNER: I beg to second that.

Mr. TALMA: Mr. Speaker, I am in agreement with the principle of this Bill although it has not been clearly defined up to now. I am hoping that I may be of some little assistance in throwing some light on the real Objects and Reasons of this Bill before I sit down. This Bill refers to the Defence (Finance) Regulations, 1940. The first three paragraphs of the "Objects and Reasons" say this:-

"The Defence (Finance) Regulations, 1940 owed their validity to the Supplies and Services (Continuance) Order, 1958 (S. 1. 1958 No. 1962) made by the Privy Council under section 8 of the Supplies and Services (Transitional Powers) Act, 1945 of the United Kingdom.

That Order in effect continued in force the said Act and all subsidiary legislation made thereunder until the 10th December, 1959.

The relevant sections of the said Act were however repealed by the Emergency Powers (Repeal) Act of the United Kingdom which came into force on 25th March, 1959, and with effect from that date the abovementioned regulations ceased to have effect."

Now, going as far as that, these Regulations are Defence Regulations which have been in force in World War II and they were introduced into these islands under Defence Measures or Emergency Powers. These Regulations which were introduced during World War II have been carried on from year to year, but the time has come when an Act should take the place of the Regulations. The Hon. Premier did not explain that. The whole question is this: What do these Defence Regulations affect? They affect matters concerning defence, but the question is whether it is a question of defence in relation to currency matters or a question of defence in relation to Defence Measures which were in operation during the War and some of which may still be hanging over, so to speak. That, I am afraid, the Premier has not clearly explained. What does defence mean? Does it mean that it affects currency matters and a matter which is a Federal matter on which Barbados has not acted so as to keep in line with the other unit territories? Or is it a question of defence regulations affecting defence in so far as financing some particular scheme is concerned or some plan which was in existence during World War II and which is still existing today even although it be in a small measure? That has not been clearly explained and I would like the Hon. Premier to assist this Committee in reading certain relevant parts of the Defence (Finance) Regulations, 1940, so that this Committee could be more clearly apprised of what is happening.

Speaking for myself, although I am not a junior member in here, in the absence of the Defence (Finance) Regulations of 1940, without having a copy of such Regulations before me, I am not entirely clear on the matter myself; and if I am not clear on it, I can well imagine how vague the matter would be for certain other sections of this Chamber. (Laughter) I say that not in any boastful way. Up to now, I have listened very carefully to the remarks and explanations made by the Premier and I think the Premier himself is still vague as to what we are really doing. (Laughter) I think that my colleagues in this House are anxious to be clear on the matter and some of them may be able to make an even better contribution to this debate than what I am making. I would like the Premier

to read certain parts of the Defence (Finance) Regulations 1940 and let us be clearly apprised as to what we are doing. The question is whether the Defence (Finance) Regulations, 1940 affect matters of currency like the dollar area and the pound sterling, or whether these Regulations are in connection with the defence of the War effort of World War II and which are still on the Statute Book, like other bodies and organisations some of which are still existing. I refer to the Control Board and things like that which have been set up, and even the Defence Regulations in connection with the planting of food crops which the Minister of Agriculture dealt with not so long ago.

2.55 p.m.

I would like some explanation given as to whether these Defence Finance Regulations of 1940 affect currency as such or the actual financing of the War effort in World War II, because if you look at the Bill itself you will see that paragraph 2 does not really set out what is the nature of the finance, because it reads as follows:-

"The Defence (Finance) Regulations, 1940, as in force on the twenty-fourth day of March, 1959, shall, as from the twenty-fifth day of March, 1959 be deemed to have continued to have had effect and shall continue to have effect and any act or thing done or omitted in purported exercise of any of the provisions of the said regulations between the twenty-fifth day of March, 1959 and the commencement of this Act which would have been validly or properly done or omitted if the said regulations had been in force during the said period shall be deemed to have been validly and properly done or omitted."

It does not say what it is all about, and in the absence of these Regulations and copies being made available to members of this Chamber - and in most cases members of this Chamber were not members in 1940 - members would not be aware of what they are doing; in my view legislation should not be handled in this manner. It is a question of passing Bills and Regulations and renewing Regulations without the House as a whole knowing what it is doing, and that is the wrong way for Government business to be conducted.

Hon. Dr. H. G. H. CUMMINS: The hon. member asked about the Defence Regulations. I certainly have not got a copy before me, but it is quite evident that this Bill relates to Finance, and it is no more than we have been doing not only in Barbados but in the whole area. Here we have the exchange between the sterling and the dollar group, hard currency and soft currency, and I particularly said that it does not seek to do more than we have been doing. As set out here, the Defence Regulations 1940 came to an end on the 24th March; so whatever was being done under these Regulations up to the 24th March will continue to be done. They relate, I repeat, particularly to the question of hard currency and soft currency. The hon. senior member for Christ Church was trying to be facetious when he talked about raising money for the War effort. I thought the War had ended somewhere in 1945; so I did not think we were still raising money for the War effort.

Mr. TALMA: Mr. Speaker, on a point of order, I said the Regulations in 1940 would have had something to do with the War effort, and I am suggesting that no financial matters should have anything to do with the War effort, but the Government is telling us that they want to continue and for that reason I am asking what it is. The Defence Regulations 1940 would have had something to do with the War effort.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I cannot say more because I have no further information. I have not got the whole list of Regulations before me, but I repeat that this relates to the question of currency exchange, controlling dollars and hard currency, because you will not be able to take out American dollars *ad lib* as before the War. This seeks to do nothing more than was done up to the 24th March 1959 when the Regulations came to an end.

Mr. CRAWFORD: Mr. Speaker

Mr. SPEAKER: The hon. member can only speak now with the permission of the House because there was

a certain delay and a long delay after the hon. member for Christ Church sat, and the Rules say that if the Speaker is satisfied that all hon. members who wish to speak have spoken and the reply is made, no other member may then speak. I am always very, very careful to wait, and the hon. member had enough time to decide - I am backed by the Rules and not only by my own words - whether or not he wanted to speak. What I am saying now I had to say on another occasion some time formerly, and I do not want to have to say it some time after now because it is very unbusiness-like, to say the least, for hon. members to wait and exhaust time and then after the reply has been given by the Mover of the Bill to want to speak. It is most unbusiness-like and I regret it very much indeed.

Mr. CRAWFORD: If your Honour would permit me ...

Mr. SPEAKER: I wish I could. It happens now to be the permission of the House.

Mr. CRAWFORD: Mr. Speaker, I merely want to say that it is not a question of being unbusiness-like, but it is more than passing strange that regardless of how fantastic may be the reply of the Minister who moved the motion ...

Mr. SPEAKER: That is no business of mine and the hon. member will appreciate that. It is no interest of mine what mistake an hon. member may make in any reply; my business is to go by the Rules and to interpret them to both sides; that is my humble position.

Mr. TUDOR: On a point of order, if a matter is before the House and in view of hon. members, at least some of them, it is not properly debated, surely the Standing Orders and Your Honour's discretion have a lot to say in a matter like that.

Mr. SPEAKER: I can quote the appropriate Rule to the member.

Mr. TUDOR: If you would, Sir.
3.05 p.m.

Mr. SPEAKER: Standing Order No. 27 reads as follows:-

"The mover of a motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put, and after such reply no other Member may speak, except as provided in paragraph 2 of this Order."

Then paragraph 2 reads:-

"A Minister may conclude a debate on any motion which is critical of the Government, or reflects adversely on or is calculated to bring discredit upon the Government or a Government Officer."

Obviously, this does not apply in this case.

Mr. TUDOR: Unfortunately, I have not got a copy of it but what I want to ask is whether "May's" does not give any guidance as to when a question is not properly debated.

Mr. SPEAKER: I wonder who can decide whether the question is properly debated.

Mr. TUDOR: If you refresh your memory and mine as well, I am sure that there must be such a Standing Order for that.

Mr. SPEAKER: Where all matters are expressly written, they are paramount and nothing can supersede. This is Standing Order No. 27. If you want me to read it again, I can.

Mr. CRAWFORD: Mr. Speaker, I rise on a point of Order. It is not a question of a matter not properly debated; this is a matter on which the hon. senior member for Christ Church before ratification asked that the introducer of the motion should clarify it.

Mr. SPEAKER: It is not for me to direct members on the Other side as to what they should do, but they are all wrong on what they have asked and are saying.

Mr. CRAWFORD: Mr. Speaker, I rise to move the motion that further debate on this Bill be postponed. The hon. senior member for Christ Church endeavoured to have the mover of the Bill to explain the reason of the Bill before the House and the Hon. Premier in reply said that the remarks of the hon. senior member for Christ Church is facetious.

Mr. SPEAKER: If the hon. member is making a motion, he must speak on the motion.

Mr. CRAWFORD: All that I am saying is that the hon. senior member for Christ Church endeavoured to have the matter clarified and he was referred to by the mover of the motion as facetious. Certainly, the reasons given by the mover of the motion appears to me not facetious but fantastic. The hon. senior member for Christ Church is perfectly justified in claiming that the Defence (Finance) Regulations of 1940 were introduced in connection with matters arising out of the war. These emergency regulations at the outbreak of the war were made to give the Government arbitrary power.

Mr. SPEAKER: I would just like to tell the hon. member this. In speaking to his motion for the postponement of the Bill, he cannot now be debating the subject of the motion; he can only speak on his motion and, as a matter of fact, his motion ought to be put as soon as possible.

Mr. CRAWFORD: I cannot expect support of my motion unless I explain. If I get up and submit no reasons for the postponement, hon. members would be justified in voting against my motion.

Mr. SPEAKER: The question is this: as the matter stands now, the hon. member is not even entitled to speak now. Even now, the hon. member has no right to put that motion. I will read Standing Order No. 27 again. It reads as follows:-

"The mover of a motion may reply after all the other Members present have had the opportunity of addressing the House and before the question is put, and after such reply no other Member may speak except as provided in paragraph 2 of this Order."

I am going to interpret the Rules of this House. The hon. senior member for St. Philip is an old parliamentarian and he knows that I am right.

Mr. CRAWFORD: Under the old Rules, you could reply at any time.

Mr. SPEAKER: Yes, that is so; but the hon. member knows that an amendment just as the one he is making should not be made now.

The question that the Bill be now read a second time was put and resolved in the affirmative, the House dividing as follows:-

AYES: Hon. Dr. H. G. H. CUMMINS, Hon. D. D. GARNER, Hon. R. G. MAPP, Hon. L. StA. THORNE, Hon. F. E. MILLER, Mrs. BOURNE, Messrs. SEARLES, STRAUGHN and L. E. SMITH - 9.

NOES: Messrs. CORBIN, TUDOR, TALMA, CRAWFORD and BRANCKER - 5.
3.15 p.m.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that you do now leave the Chair and the House go into Committee on this Bill.

Hon. D. D. GARNER: I beg to second that.

Mr. CRAWFORD: Mr. Speaker, I beg to move that the further consideration of this Bill be postponed. In all my

life in this Chamber I have never seen anything more fantastic than what is taking place today. You have the spectacle of a Minister - the Prime Minister, the Premier - getting on the floor of this House and telling hon. members that he does not know what he is doing. Mr. Speaker, he has moved the second reading of a Bill intituled an Act to re-enact the Defence (Finance) Regulations, 1940, and to validate acts done thereunder, and he is saying that he has not got a copy of the Regulations. He goes further and says that he does not know anything about what the Regulations stand for or what he is doing. Certainly in discussing this matter at Cabinet level there must have been some memorandum before him in connection with the proposed legislation. At Cabinet level you do not merely say that you are going to repeal an Act and decide to repeal it; a memorandum is circularised to the members of the Cabinet, and after discussions on the memorandum then you decide what action will be taken. We are paying for secretaries of all kinds and we are paying the Ministers; therefore they must have a file in connection with this matter, and the Premier should peruse that file before he comes in here so as to apprise the members of the Legislature of the pertinent facts of the matter. But the Premier admits that he does not know what he is doing and he says so.

These Emergency Regulations of 1940 could only apply to something which has to do with the War effort. These Regulations were promulgated at the outbreak of the War so as to give the Government arbitrary powers to conduct the War effort. The Emergency Control Exchange and restrictions on the export or import of foreign exchange in the matter referred to by the Premier certainly came in only after the devaluation of the pound sterling. There was the devaluation of the pound sterling in 1948, eight years after these Currency Defence Regulations were promulgated, and then you had the restrictions imposed in this and other sterling colonies with reference to the export of sterling and exchange control and all of that kind of thing. The differential between the value of sterling..... (pause)

Mr. SPEAKER: Is the hon. member resting?

Mr. CRAWFORD: No Sir, I was only waiting to continue my remarks. There cannot be any visible connection between the Emergency (Finance) Regulations which were promulgated at the outbreak of the War and the currency controlled restrictions imposed after the devaluation of the pound sterling. They are two entirely different matters. Therefore I, for one, submit two things: in the first place, none of us here could be expected to agree to the passing of this Bill unless we had before us a copy of the relevant Regulations. If it is important to us to have these Regulations, then it is infinitely more important for the Government spokesman, the Premier, before he commits himself to the policy involved in this amendment, to know what he is doing. What is he doing it for? Did his Permanent Secretary push this Bill in his hands and tell him to deal with it? Did the Currency Control Board simply say: "We want this Currency Bill done?" The Premier must, in fairness to his party, to himself and to the country, before he comes in here with this Bill, apprise himself of its Objects and Reasons. He should be in a position to get up in here and say, even if he has not got the Regulations, that at the beginning of the War certain Regulations were enforced, that the overriding power was suspended when we repealed the Emergencies Powers Act in March 1959, but it is still necessary to have the Defence (Finance) Regulations in force and we are amending the Act to give the Regulations the force of law.

One would understand a member of the Opposition or a back-bencher of the Government not knowing the reasons which impelled the Government to this line of action, but there certainly could not be any justification at all for the Premier to say that he has not got the Regulations before him, neither does he know what he is doing.

Hon. Dr. H. G. H. CUMMINS: On a point of order. I simply said that I did not have the Regulations before me.

Mr. CRAWFORD: He must have a memorandum before him which forced the Government to this line of action; otherwise we have the blind leading the blind. If the Premier comes in here armed with the relevant documents, five minutes' perusal of them is enough for him or any person in his position to be able to present an intelligent statement to the House as to the reason why the Government proposes this action; but all he says is that he has not got the Regulations. If the Premier refuses to give us the information, our logical deduction could only be that he has not got the Regulations, that he does not know what he is doing and that he should not be in here dealing with matters which he is presenting. If another Minister was presenting this Bill and the Premier was ignorant of it, there might be some excuse for him; but not when he himself is presenting the Bill. I therefore beg to move that the further consideration of this Bill be postponed until either the Premier is in a position to explain what he is doing or we are in a position to get a copy of the appropriate Regulations and find out for ourselves what the Government proposes to do.

There has been much talk in this island of keeping in force Regulations many of which should have been out of force since 1945 - fourteen years ago - and the entire question of controls of all sorts has been the subject of profound discussion both in and out of Parliament all over the World since the War has been over. But, as we have seen, this entire question of Wartime controls has been mixed up with that of currency control in such matters as the devaluation of the pound and we certainly are entitled to know where we are.

3.25 p.m.

I frankly do not remember; but on the face of it it does not appear likely, Sir, that Defence Finance Emergency Regulations could have anything at all to do with Finance Control Restrictions, or, as the Premier himself said, the Hard Currency Regulations. Hard Currency Regulations arose out of the devaluation of the pound, not of the Defence Finance Emergency Powers. They are two entirely different things; one came in eight years after the other, and the reasons for the introduction were entirely different. I cannot imagine anybody in his right senses suggesting, Mr. Speaker, that the origin of the Defence Finance Emergency Regulations and Finance Control Restrictions are one and the same thing; and therefore, Mr. Speaker, without wearying the Chamber with any detail or technical discussion as to the two entirely different matters and the two entirely different reasons for the introduction, I beg to move that further consideration be postponed in order that both the Government and the Opposition may more clearly enlighten themselves as to what the Bill actually proposes to do.

Mr. TUDOR: Mr. Speaker, I rise to second the motion for postponement which has been made by my colleague, the hon. senior member for St. Philip, because I feel that this is one case in which further consideration of a matter should be postponed. Here we have a situation present before this House this afternoon in which a Bill is under discussion, and Mr. Speaker, has not been properly explained; and it has not been properly explained because the person introducing the measure does not himself understand it. That is no reflection on him; it is a reflection on the system of Government in this island, and we are only now seeing one more example of their attitude towards public business.

Nobody expects the Premier or any Minister or, for that matter, any member of the House to have at his fingertips all the relevant information which one should have if a Bill is to be thoroughly understood; but because all of us can read and because there are references which can be made, it should be an easy matter for a Minister introducing a Bill to arm himself with the relevant information and to transmit that information to the House in the course of introducing the Bill. Apart from the fact that no member of this House - I cannot of course speak for Your Honour in this House because you are outside the arena of debate - if he is conscientious, can say he fully understands the purpose of this Bill, in the Objects

and Reasons there are absurd and contradictory statements made. We are told that the Defence Finance Regulations, 1940 owe their validity to the Supplies Services (Continuance) Order, 1958. How, Mr. Speaker, can Regulations made in 1940 owe their validity to Regulations subsequently enacted 18 years after? Further it is said that this Supplies and Services (Continuance) Order was made by the Privy Council under Section 8 of the Supplies and Services (Transitional Powers) Act, 1945 of the United Kingdom. But Regulations made in 1940 cannot be validated if they are made during an emergency by an Act five years later in the post-War period. A different situation had arisen in 1945; and therefore if you did anything to meet that situation, you must have repealed the 1940 Regulations to bring in the new ones.

Now we have not got before us a copy of the 1940 Regulations; we have not got a copy of the Privy Council Order of 1958 - I believe it is 1948 and this may be a misprint - and we certainly have not got a copy of the Supplies and Services (Transitional Powers) Act. Neither the Premier has one, nor do we; and yet he is prepared to recommend the passing of this Bill to members of the House who are supposed to vote for it blindly; and I am afraid he has added to the confusion by making it appear that the matter, because it says it deals with Finance, has something to do with the exchange of currency. As my colleague pointed out, at no time in 1940 or for that matter in 1945 would there have been any exchange problem anywhere in the British Commonwealth, because these matters only arose out of the devaluation of the pound. He has further confused the issue by dragging in matters affecting the Federal Government by hinting to us that it would normally be a matter exclusively for the Federal Government to legislate upon, but as the Federal Government cannot pass its own legislation until some time in May, therefore the Unit Governments are to rush it through; and he instanced the fact that the Trinidad Legislature did something about it last week. Did something about what, Mr. Speaker? What is before the House? What is the substance, and if I may use the word, what are the "guts" of this Bill? Nobody knows and it has not been explained.

I did not receive a copy of this Bill until I came into the House this afternoon. As a matter of fact, the Leader of my Party told me that he was called upon the phone or spoken to, at any rate, by the Premier this morning who told him that the reason why it was not circulated before was because it was a secret matter and the Government hoped to pass it in all its stages. Can you imagine the Leader of the Government Party speaking to the Leader of the Opposition and could not tell him in private conversation what it was all about so that he in turn could enlighten his own colleagues? That is the situation. We are asked to vote on a measure which we know literally nothing about and which has not been explained to us.

Just by coincidence, Mr. Speaker, I have been reading for the last few days the Official Biography of His Late Majesty, King George VI, entitled "King George VI, His Life and Reign" by Professor John Wheeler Bennett and published by MacMillan & Co, the firm with which the Prime Minister is connected, and published in 1958. It can be made a document of the House because it is from the House's Library, and I had only just got yesterday to the part which deals with the passing of the Supplies and Services Bill in 1947, I think it was, by the United Kingdom Parliament. The controversy which it aroused at that time was so much that the King wrote to Mr. Attlee who was Prime Minister and said "Mr. Prime Minister, I have carefully read the debates, in both Houses of Parliament, on the Supplies and Services Bill, and am rather perplexed by the different interpretations given to it by various speakers of all parties."

The Lord Chancellor, for instance, described the Bill as a purely legal necessity, covering possible loopholes in the application of existing powers to the present emergency; others, in all parties in the House of Commons, appear to have attributed to it much wider and more far-reaching significance, suggesting that it might be used

to curtail seriously those liberties which the ordinary British citizen has long regarded as his right.

The Prime Minister wrote back a very lengthy letter to the King explaining that the same Transitional Powers Act which is mentioned here in this Bill before us was necessary because of the economic crises which Great Britain faced in the post-War world, and part of the purpose of the Regulations was to impose restrictions on petrol, to facilitate the movement of coal - or else there would be a diminution in freight and passenger traffic - and to put a tighter control on private and capital investment.

3.35 p.m.

I suspect, although I have not seen the Regulations, that what we are doing here today has nothing to do with the exchange of sterling versus American money but to do with just this matter. We must remember that these Defence Regulations and bits of legislation which were passed in the United Kingdom automatically applied to the Colonies, but we do not know the exact application of these matters to our concern in the West Indies. At any rate, we have no right to be passing legislation which if it is imposed would affect us so vitally without knowing how it would affect us.

If the Hon. Premier has said that the Unit Legislatures are to enact this bit of legislation and the Federal Government must also do it, obviously, it is of great importance; and it is astonishing to me that on a matter of such great importance, the Hon. Premier has not taken the trouble to get a file prepared on it which he could read for his own edification and which he could use on the introduction of the Bill before the House.

On principle, we on this side are forced to divide the House on this measure, whatever the merits are, because we will not be put in the position of assenting to legislation, the purpose of which has not been explained to us. It may be alright for members of the Government Party who are there only to vote, but we have the duty of assisting in legislation and we cannot do it blindly. If hon. members on the other side feel like supporting the Government without knowing what the matter is, we cannot do like them.

I want to say quite emphatically that the measure has not been explained by the Hon. Premier. We do not know what it is, and another thing, Mr. Speaker, even in an important matter like this, which according to the Hon. Premier is of such over-riding urgency, a copy of the Regulations cannot be found within the precincts of this Chamber. Can you imagine that? You ask the Clerk to produce a copy of the Defence Regulations, 1940, and he cannot do so. You ask them about it and they tell you quite bluntly that they have not got them. I am sure if the Hon. Premier had properly prepared this measure, the file dealing with it would be bound to have a copy of the Regulations and he would not be in a position to tell us that he has not seen a copy of the Regulations. This is not the way to do things in Parliament and the misleading phraseology of the Objects and Reasons makes us think that the Crown Law Officers are not doing their jobs properly because no legislation passed in 1940 can owe its validity and justification to something enacted eighteen years later.

I wonder, therefore, if the person who drafted this Bill and who presumably supplied the Objects and Reasons as to why the Bill should be passed, himself understands why it should be passed. It is absurd to write what has been written in the Objects and Reasons and then pretend that you are putting the Minister in an impregnable position in explaining it. Therefore, I say very emphatically that I hope that this is the last time we shall see such great ignorance displayed in matters of public importance. Nobody expects the Opposition to agree with the Government in everything, but we expect that when we have to disagree or agree we can know precisely what it is we are giving our disagreement or agreement to; and it is reprehensible on the part of the Hon. Premier as Head of the Government to allow himself to be put in a position

where he confesses his own ignorance to a measure which he has introduced. It is not so much to the House as it is to the very colleagues on whom he is relying for support.

Sir, I hope this is the very last time it will happen. We are very mild on this occasion, although quite firm; but I can foresee, if this sort of thing takes place again, tempers will rise and harsh things will be said on both sides. Please let them know that he is not to come back in here openly confessing that he does not know the substance of the legislation which he is introducing. It is a disgraceful state of affairs and ought to be brought to an end.

Mr. SPEAKER: Is the hon. member giving me such a mandate?

Mr. TUDOR: No, Mr. Speaker, I am only speaking through you.

Mr. TALMA: Mr. Speaker, in supporting the motion for the postponement of this Bill, I would like to point out to this House that on the face of the Objects and Reasons set out here, the whole matter becomes even more hazy. The Defence (Finance) Regulations, of 1940 can only be based on an Act made in 1940; so to suggest, as has been suggested, that the Defence (Finance) Regulations function under the Supplies and Services (Transitional Powers) Act of 1945 is preposterous in the extreme, because Regulations made in 1940 cannot function under an Act passed five years later. This is not in reference to the Hon. Premier; this is in reference to the draughtsmen. They are paid substantial salaries and, after all, in the final analysis it is not in the Premier's place to draft legislation. It is left to the Crown Law Officers of whom we have four or five, and then the Financial Secretary who is paid a proper salary and who has been there for many years. The Premier is wrong in that he has come in here without a copy of the Regulations and without the appropriate file to which he can refer. This is negligent work which has been done by the Crown Law Officers.

Again, I repeat, in the Objects and Reasons they tell you that the Defence (Finance) Regulations are operated under Section 8 of the Supplies and Services (Transitional Powers) Act, 1945. That can never be the case. They will have to function under an Act of 1940. In my humble submission it could never be under the Supplies and Services (Transitional Powers) Act, 1945 because in 1945 the war was still fought vigorously. The Crown Law Officers have not done their job properly and the Hon. Premier not being a lawyer cannot be expected to do so. This is not good enough.

3.45 p.m.

In other words, the Defence (Finance) Regulations of 1940 must have been laid with the Supplies and Services Act, and after the cessation of hostilities you had the Supplies and Services (Transitional Powers) Act of 1945 which continued under these transitional powers. That is what it must be; it does not say so here but the Premier, in the absence of his files and without a copy of the Defence Regulations, is not in a position to know what it is. If I were in the Premier's position, I would agree to a postponement of this Bill. You cannot say that what I am saying is wrong; I am explaining the position more clearly than any other hon. member. I have raised the point and hon. members have supported me on very good grounds. It is just by a mere coincidence that my colleague, the hon. senior member for St. Lucy, is reading a book which explains exactly and precisely what we are doing. The more we go into the matter - well, the first four or five lines of the "Objects and Reasons" I have proved conclusively. I am explaining to hon. members *verbatim* and line by line the absurdity of the whole thing. If any hon. member over there is stifling his conscience in voting and he is saying that this is all right, then you will see that there is rank ignorance dominating the situation in the Labour Party.

There is hardly any necessity for me to prolong this debate unless hon. members would like me to repeat

what I have said, but there is no necessity for me to do that as some speakers would do. The Premier has not got his copy of the Defence Regulations. He was not the Premier in 1940; he has not got his file with the original copy of the Regulations when they came into force and he is not *au fait* with what the Regulations are all about; but he has highly-paid Permanent Secretaries and Crown Law Officers, like the Attorney General and so on. He has all these qualified lawyers; but one who is less qualified in law or it may be in education as some people may think, is still in a position to explain the position as was done in the amendment to the Executive Committee Act of 1891. When the Government attempted to pass that Bill late last year, I had the opportunity of explaining the absurdity of what we were doing then and pointing out to this House that what we were doing was wrong and dangerous. Because the Government has a Party and a working majority, you cannot expect grown-up men and a grown-up lady to sit here and vote wildly, and recklessly, not knowing what they are doing. Any hon. member who votes in favour of a matter like this which has been proved by this House to be entirely out of order - the hon. junior member for St. James will probably say that I have not explained the position but if you were to follow me carefully you will see that I have explained it. I am not sitting here and passing legislation which has been totally misconceived even by the draftsman. On the face of it, the draftsman has made the whole thing look preposterous. It is absurd; it does not set out in the body of the Bill what it is all about and the Premier has not clearly explained what it is all about. To suggest that this matter is in connection with currency, the more I go into it, the more I see that it is not in that connection. Hon. members on this side of the House have explained that the currency regulations came to light in 1948 after the War effort. This legislation does not affect the currency regulations and it is wrong for any Government, despite its origin, to pass legislation or to be led down the garden path, not knowing what they are doing, and to expect their supporters - and even members of the Opposition - to support them in a measure which they cannot explain or do not know what it is all about.

This Bill does not explain what it is all about; the Premier has not got his file explaining it, he does not know what it is all about and nobody knows what it is all about. That is where mob rule comes in and all of us will be out when mob rule takes place.

Mr. J. W. CORBIN: With reference to these Defence (Finance) Regulations, I believe that the Premier has some understanding as to the Regulations; however, he has been called upon to produce a list and he has not produced that list. If I were in his place, I would submit and ask for a postponement of this Bill and bring forward the same Bill at some other time and supply us with the necessary information. I would not be able to say that it is a question of ignorance but I would have to say that it is a question of negligence. I would think that we should keep the unity of the spirit unbroken and if we did that, we would be further in our task to submit immediately to what has been suggested. I think that the best solution in this case would be for the Premier to submit to the postponement of the Bill and bring it back at some other date.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I really should not be speaking again, but there are one or two points to which I want to refer. In the beginning, I do not think that the hon. senior member for St. Philip was in the House when I gave the history of this Bill from 1940 back down. Any way, what I rise to say is this. The hon. senior member for St. Lucy did read the Objects and Reasons of the Bill and in the second line there is the word "Continuance" appearing in brackets. It is either that the hon. member did not see or would not see it; He read the Objects and Reasons two or three times but the word "Continuance" did not or would not catch his eye.

3.55 p.m.

I just want to point out, Sir, that this is similar to our case where up to last month we had to pass various Expiring and Continuing Laws which we have to pass every March before the expiration of the year. They have been on the Statute Book for years and I am quite sure that this means the same thing.

Mr. TUDOR: On a point of order, did I understand the Premier to say that we passed this Bill last year and have been doing it all the years?

Hon. Dr. H. G. H. CUMMINS: I did not say "this." What I said is that the hon. member knows that every March there are certain Expiring Laws which we have to pass in March so that they may continue. I only rose to point out that the word "Continuance" was there when he read the Bill, is still there on his copy because it is on mine and, I think, on the Bills of other hon. members.

The question that further consideration be postponed was put and resolved in the negative, the House dividing as follows:—

AYES: Mr. TUDOR; Mr. TALMA; Mr. CRAWFORD and Mr. BRANCKER - 4.

NOES: Hon. F. E. MILLER; Hon. Dr. H. G. H. CUMMINS; Hon. D. D. GARNER; Hon. L. ST.A. THORNE; Hon. R. G. MAPP; Mrs. BOURNE; Mr. SEARLES; Mr. STRAUGHN and Mr. SMITH - 9.

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, the House dividing as follows:—

AYES: Hon. F. E. MILLER; Hon. Dr. H. G. H. CUMMINS; Hon. D. D. GARNER; Hon. L. ST.A. THORNE; Hon. R. G. MAPP; Mrs. BOURNE; Mr. SEARLES; Mr. STRAUGHN and Mr. SMITH - 9.

NOES: Mr. TUDOR; Mr. TALMA and Mr. BRANCKER - 3.

Mr. SPEAKER left the Chair and the House went into Committee on the Bill Mr. STRAUGHN being in the Chair.

Clause 1 was called and passed"

Clause 2 was called "It reads as follows:—

"The Defence (Finance) Regulations, 1940 as in force on the twenty-fourth day of March, 1959, shall, as from the twenty-fifth day of March, 1959 be deemed to have continued to have had effect and any act or thing done or omitted in purported exercise of any of the provisions of the said regulations between the twenty-fifth day of March, 1959 and the commencement of this Act which would have been validly or properly done or omitted if the said regulations had been in force during the said period shall be deemed to have been validly and properly done or omitted."

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 2 stand part.

Hon. D. D. GARNER: I beg to second that.

Mr. TUDOR: Mr. Chairman, when the Premier was speaking a few minutes ago, he actually trespassed on the substance of Clause 2 which is now before this Committee, and he gave the House then to understand that this Clause, in fact the whole Bill, was nothing more than a routine Continuance of an Expiring Law. In answer to a question which I put when I intervened, he said that this was not exactly done last year, but sometimes we have Laws which expire every March and have to be re-enacted.

Now if what he says is true, Mr. Chairman, this is clearly not one such Law because we have before us not a Bill to continue in operation Expiring Laws, but a Bill standing in its own right to re-enact the Defence Finance Regulations of 1940 and to validate acts done thereunder, and it says in the Clause under discussion that these Regulations of 1940 shall as from the twenty-fifth day of March, 1959 be deemed to have continued to have had effect and shall continue to have effect; and any act or thing done or omitted in purported exercise of any of the provisions of the said Regulations between the twenty-

fifth day of March, 1959 and the commencement of this Act, which would have been validly or properly done or omitted if the said regulations had been in force during the said period shall be deemed to have been validly and properly done or omitted.

In all that jargon, what I understand is that anything done between the twenty-fifth March, 1959 and now is valid, whatever it is, whether it had been done or had not been done. Clearly, therefore, this is a Bill which is now being enacted for the first time; it is not the continuation of any Act, because the very fact that this Clause set out clearly that you have to validate anything that has been done between March 25 and now means that you had no legislation covering that period, because you are ante-dating the legislation and this Bill is retroactive to the twenty-fifth March.

More important than that, if you read this Clause correctly without knowing, Mr. Chairman, what the substance of the Bill is, you will see for the first time that this is becoming an Act of the Barbados Parliament; therefore it is misleading to pretend that this comes under the general category of Expiring Laws which have got to be put back on the Statute Book.
4.05 p.m.

Now, we are here arguing two different things because what I am saying has nothing to do with the substance of the Bill which none of us know anything about. We are only dealing with what influence the Bill will have on matters which come under its jurisdiction, and the importance of the Bill can be seen by the fact that it is retroactive to the 24th March. Failing to know the powers which the Competent Authority has under this measure, we can only speculate and that is why I say that the Hon. Premier is not right when he treats this as a routine Bill because it is a Bill which is to be put on the Statute Book for the first time.

It is possible, of course, that it may affect or give greater powers and authority to the Competent Authority who looks after supplies in this island and such things as price control; but we are only guessing; we do not know; it has not been explained to us. I would only like to say that the more we go into this matter, the more we are convinced of the very grave omission which has been created this afternoon in not explaining this matter thoroughly to the House. It may be that the importation of the essential commodities in this island would be affected by this Bill. It may be that certain forms of capital investments may also be affected by this Bill. It is significant that such importance is given to the Bill that you are saying that from the time it becomes law it covers things done before it became law. I hold as a general rule that if you are enacting retroactive legislation which is to give the force of law to anything which may have been illegally done before the legislation has been passed, you ought to spare no pains to explain fully the nature and scope of the Bill. A few months ago in the Federal Parliament there was passed a West Indies Defence Bill which was a voluminous bit of legislation and far reaching in its implications both as to the creation of a standing Army in the West Indies and the means of financing it as well as to the powers of the Army and the Governor-General of the West Indies in Defence matters generally; and if you examine that West Indies Defence Bill which was passed by the Federal Parliament, you will see that there is provision made in that Act for a whole amount of subsidiary legislation which can be enacted both by the Federal Government and by the Unit Governments covering Defence matters.

Now, it will be nice if we can be told if this important Clause is made to dovetail into the Federal Act or to give greater expression to what is done in the Federal Law on Defence, or whether the enactment of these Regulations are to supplement any laws affecting the Federal Defence Laws and Regulations. These are very important matters.

The whole importance of this Bill lies in this significant Clause. The significant thing of this Clause is

that it tells you that anything which happens between the 25th March and the time that the Governor gives assent to this Bill is as legal as if the Bill was passed on the 25th March.

Without knowing what the Regulations are, - and I say it is a great disappointment not to have them - this Committee is scarcely in a position to know the far-reaching importance of this Clause; but we do know that in England between the years 1945 and 1948 when a similar Order-in-Council was made under the Supplies and Services (Transitional Powers) Act, 1945, the Government of Great Britain got far-reaching powers over the economy and finances of the country. It is significant to remember that that Bill and the draft regulations, when they were brought before Parliament, aroused the fiercest controversy possible, and it was that bit of controversy which forced the King to ask the Prime Minister to explain what the Bill was all about. These were Regulations which were giving the Government power, although the war was over, to conscript the country's manpower and to use the army in cases where it was felt that the actual production of the country needed such help, and to tell the people where and how and under what circumstances they should invest their money. It was also to tell the people who wanted to take money out of the country that they could not carry more than £35 sterling and they could not spend it in more than two countries. I do not know, and nobody seems to know, with respect to us in the West Indies whether anything similar to these things is being contemplated; but I say that if we are following the United Kingdom practice, these things are bound to cause a lot of controversy when they are known and when their import is fully understood; they are bound to have far-reaching effects on the economy of the island. It may well be that the Government will tell us soon from now that a flaw has been discovered in the application of this law and some adjustment has become necessary.

Mr. Chairman, we should not allow ourselves to be caught in this position of speculating on important legislation. The reason why I am inclined to reject this Bill - and my colleagues share this view - without considering the matter is because we feel that we do not wish to be involved in any loss of face or any ridicule which might come upon this House if in consequence of the passing of this legislation repercussions arise of which we knew nothing. For all we know, this Clause may be a good one; but on the other hand, for all we know, it may be a bad one. It is not part of the duty of the Opposition to connive in the passing of legislation without scruple or without diffidence.

4.15 p.m.

We should always have a certain amount of scruple and diffidence about matters which we feel are not fully explained and which we do not fully understand, because we are committed not to be a party to the consequences of hasty legislation.

I understand from the Premier, particularly from his reference to this Clause, that this Bill will be going to the Other Place within a day or two, and I should say that there will be people in the Other Place who will see that the real meat of the Bill is in Clause 2; even if, when the House was giving this Bill its second reading, the Premier did not care to give any details, surely now that we are in Committee, there is an opportunity for him to do so, because it is in Committee that we examine the details of Bills. I am sure that in the Other Place, when this matter gets before them, they will be vouchsafed explanations which are now being withheld from this House because what we will put up with from the Ministers here, the members of the Other Place will not stomach from the Minister without portfolio, and they will insist in getting and they will get the full explanation from him. And even if his explanation does not appear to be adequate, there is bound to be some member in the Other Place who has the necessary background or who, perhaps, may have been told what it is all about. That is the difference between the two Chambers.

As I said, Mr. Chairman, it is difficult to know what a conscientious person has to do with this Clause which is now before the Committee, because apart from the fact that we only know that this Bill is retroactive as from the 25th

March, no other information is vouchsafed as to the powers which the Act gives to the Governor; but what should be given in explanation to the Committee is what exactly are these powers which are retroactive. That is the whole crux of the Bill. It is significant that the consideration of this Bill has been going on now for more than an hour and a half at least, and the Premier, well knowing that there is not any copy of the Regulations either in this House or in the Library or in the Clerk's Office, has not taken the trouble even to contact the Financial Secretary or the Attorney General or the person who is responsible for keeping documents in his own Ministry - the Permanent Secretary to the Cabinet or any such relative Officer - he has not taken the trouble to ask any of them to hurry over a copy of these Regulations to the House. That is the most heart-breaking part of the debate. The Premier has not sent for a copy of the Regulations, he does not know what the matter is all about and he has not even utilised the time at his disposal to find out from some Government Department whether there is a copy which could be circulated among hon. members. However, I have been using the book which I have obtained from the Library, and they want to snatch it out of my hand in order to see what I am reading; but they cannot send and get a copy of the law of the land so that they themselves can be enlightened on the matter. They cannot get anything which affects the legislation which we are considering, but as to a book which is there for borrowing, they want to deprive me of the pleasure of reading it. That is what we are up against.

Mr. Chairman, a person who wishes to accommodate the Government, would probably preserve an open mind on this matter and would be inclined to say that although the Government have not explained the position, yet we must take them on trust and give them the support for which they are asking. I am not of that turn of mind; I have to vote against this Bill Clause by Clause, reading by reading, because I cannot agree to anything the purport of which has not been explained to me.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I cannot say anything more than what I have already said on the second reading of this Bill; there are no more secrets than that. The same Defence (Finance) Regulations which apply to the 24th March will apply from now on. These Regulations control the purchasing of goods from hard currency areas and giving permits to people allowing them to carry out so much money to hard currency areas and things of that sort. Other things which apply before the 24th March will apply from the 25th March when this Bill is passed. There is nothing more than that; I repeat that over and over again. Why is the hon. member labouring the point that this legislation has been made to be retroactive? If he reads paragraph 3 of the Objects and Reasons of this Bill he will see why it is retroactive. That paragraph reads as follows:-

"The relevant sections of the said Act were however repealed by the Emergency Powers (Repeal) Act of the United Kingdom which came into force on 25th March, 1959, and with effect from that date the abovementioned regulations ceased to have effect."

In short, those Sections which apply to the colonies were repealed as from the 25th March and therefore this Bill must be passed retrospectively; there cannot be any *hiatus* between the repealing of that Act and the passing of this Bill. I fail to see, Mr. Chairman, that there is all of this mystery, secrecy, conspiracy, ignorance and all of these other things which the Opposition claim to be existing. I repeat that we in Barbados know what Defence Regulations in whatever form mean; if you are going on holiday to the United States of America you cannot carry away whatever funds you like; you are allowed so much money to purchase items from America and things of that sort. I think that the same thing also applies to inheritance; when people die here and leave money and property to any persons in America they cannot take out the money as they like and things of that sort. Those were the Defence Regulations.

4.25 p.m.

There are the present Defence Regulations, and there is nothing more that will be added because of this. I cannot make it any plainer.

Mr. TALMA: Mr. Chairman, this is not a matter in which the Premier or any other Government Minister should feel so annoyed because the Opposition is in its right. On the very face of this document.....

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am not annoyed. You have every right to get up and say what you like, provided it is done in Parliamentary language. I am only trying to stress my view as I see it.

Mr. TALMA: Like the Premier, we are trying to explain our position as we see it; and in doing that, on the very face of this document there is total absurdity. If the Premier or the other Ministers cannot see it, I am very surprised, because what we are pointing out is that a glaring mistake has been made in the Objects and Reasons, apart from what the powers are. Let us assume that nobody knows what the powers relate to, because every time an hon. member referred to controls or currency, the Hon. Premier got up and said he thinks it is connected with that. What I am saying is that apart from the powers of these Finance Regulations which are still obscure in the minds of all hon. members, these Objects and Reasons are preposterous in the extreme, and the Defence Finance Regulations of 1940 could never be functioning or be enacted under the Supplies and Services (Transitional Powers) Act of 1945. He has not explained that yet. You cannot have Regulations in 1940 taking force or effect by virtue of an Act in 1945.

If the Premier were to concede that it is a mistake and that the Regulations of 1940 must have been under an Act of 1940 and could not have been under any Transitional Powers, because the transitional period had not yet commenced, we could probably appreciate what is being done; but this is absolutely wrong on the fact of it and nobody can defend it. It is a question of being wrong and strong and relying on numbers. I will explain again that the Defence Finance Regulations of 1940 - I am not dealing with the Continuance part - continues every year; so in other words the first Supplies and Services Order was made in 1940; in any case, the Regulations of 1940 would be in the year of 1940 which was continued every year until it became the Supplies and Services Continuance Order of 1958. That is clear and the Premier held on to that. We have got as far as line 3.

Now in line 4 "under Section 8 of the Supplies and Services (Transitional Powers) Act, 1945 of the United Kingdom", what I am saying and what has been stressed by my colleague is that these Regulations of 1940 could not have become effective under the Act of 1945, but they must have been under an Act of 1940, and could not have been Transitional because the War was still in force in 1940. How much clearer can I make it? If you agree that the Objects and Reasons are wrong and cannot be defended at all, then we can probably try to see that the Premier is not at fault because the Objects and Reasons are like that. He does not draft them; there are men paid to do that and they are not doing their work. This is not the first time. I am not blaming any particular person; I know that the Crown Law Officers and the Permanent Secretary to the Cabinet are there to do that work, because the Permanent Secretary to the Cabinet is the man to give the O.K. to the papers to be put before the Premier and his Cabinet. The fault comes from the Legal Draughtsmen of whom there are many. These are ordinary Objects and Reasons which they are setting out to explain what the legislation is about, and they have failed to explain what the powers and duties are under these Regulations, because nothing is said here in this proposed Act or in the Objects and Reasons; and yet the Premier is trying to make out that we are being mischievous and foolish, or ignorant, as he said just now. We are just trying to put a stop to ignorance; we are trying to block and bar ignorance from being so prevalent in high places, not only in this Chamber, as it goes back to the Financial Secretary, the Permanent Secretary to the Cabinet and even to highly trained and paid Crown Law Officers.

When we get up here and try to explain what these qualified Lawyers should explain, do not get offended. You should postpone this Bill and bring it back down in a proper manner; otherwise it reflects on the general body of the

House of Assembly, Government and Opposition and Independents too as being a bunch of ignoramuses who just want control and power. We do not intend to be party to that, and it is my duty to the public and to the intelligent electors of Christ Church to explain where ignorance cannot help them.

Hon. R. G. MAPP: Mr. Chairman, I should just like to say one or two words. The hon. member talked about ignorance; I wonder, if he is so intelligent, whether he can explain how it is that the same Opposition members continually referred to these currency restrictions coming into the United Kingdom after the devaluation of currency, and how it is that devaluation of currency did not take place until 1944 under Sir Stafford Cripps while this came into force in 1945 under the Transitional Act. I want to know if that is not ignorance on the part of the Opposition. What has the devaluation of currency to do with currency restrictions? It simply means in terms of the Canadian and American dollar that the valuation of sterling has dropped from \$4.03 to \$2.80; every pound was worth \$4.03 in terms of American dollars. All this came into effect after the War and had absolutely nothing to do with the devaluation of currency. They are talking ignorance but we do not have to correct everything said on the other side.

As the Premier has explained, all that has happened is that we have passed these Regulations and Orders under the United Kingdom Act; (A VOICE: Of what year?) It is set out here that the Defence Finance Regulations 1940 owed their validity to the Supplies and Services (Continuance) Order, 1958 made by the Privy Council under Section 8 of the Supplies and Services (Transitional Powers) Act, 1945 of the United Kingdom. They passed the Act after the War in 1945 providing for the control and transfer of currency and block sterling, and all these Acts, Defence Regulations and so on applied to all the colonies; they have been continuing in the United Kingdom every year since 1945 until this year. They suddenly hinted to us sometime in December that they might not be continuing, but we do not know for certain. Another thing is that the Federal Government under the Constitution may have taken the matter up; otherwise we would have come before. They have authority because it is a Federal matter and we thought that the Federal Government might have passed an Act to continue these various Laws under which the Currency Restrictions are authorised and carried out, and the transfer of Currency and so on take place; and with the Defence Regulations, we thought that the Federal Government might have passed a Law applying to all the units of the Federation.

4.35 p.m.

However, the Federal Government did not manage to get through all their legislation and that is why there is this rush and we now have to pass this law to take the place of the United Kingdom Law. Trinidad had to call a meeting of the Legislative Council last week and passed similar legislation. These are matters affecting financial transactions on a big scale. To postpone this, obviously, it would give people the opportunity of taking advantage of the situation and to do things overnight; therefore, why postpone this matter? In Trinidad where transactions are done on a far bigger scale than we do them, they had to make a rush of it. We did not think it necessary to do so here, but we are handling it today. Having passed the second reading, Clause 2 is entirely valid because it is what is set out in the Objects and Reasons of this Bill. The Opposition is simply making heavy weather. The Objects and Reasons are very clear.

Mr. TALMA: Mr. Chairman, I will not worry to reply to the Hon. Minister who has just sat down. He tried his best to get information and tried to bamboozle his way through with what little he got. It is his duty to assist the Premier if he can. What I want to ask the Hon. Premier is this: in view of the fact that these Defence Regulations are only now enacted for the first time - there is no question of Expiring Laws - that is another red herring across the trail - by virtue of the fact that there is a lapse of time, as these Regulations should have been introduced before the 25th March, and in view of the fact that they thought that the Federal Government would have passed similar legis-

lation for the various colonies as a whole, and in view of the fact that these Regulations are not in force now and will not be in force until this Bill has passed the Other Place and has received the assent of the Governor, I want to know if any merchant in town can import, say, \$200,000 or \$300,000 in supplies in goods whether it be hardware or food or other mercantile stuff from a place like the U.S.A. and would not be committing any breach of the Defence Regulations. I want the Hon. Premier to answer "yes" or "no"; I do not want any speech. I want a precise, definite answer. I say that because I know it is difficult to import American goods if the merchants in town are not given the American dollars to import them with. I do know that some people are given a small quota while others are given a big quota. Who controls that I am not going into now. I say now that the cost of essential items is going to be made unduly high through this same Act because it affects the control of currency. It means that when this Bill is passed we are making law of what has been happening before and we are continuing with all the high offices which we were continuing with in the past.

Mr. Chairman, I am now trying to interpret this Bill and bring it to the attention of this Committee that in my interpretation of this Bill it affects your very existence, your food, your clothes and everything else which makes up your livelihood and well being. Therefore, when you pass this Bill, you are perpetuating a bad state of affairs. You are perpetuating a state of affairs where the high cost of living will remain high and a lot of commodities which we could secure from dollar countries, we will not be able to secure if this Act is enacted.

Mr. CHAIRMAN: The Chair is trying hard to follow the hon. member and the Chair is wondering whether you are still dealing with Clause 2 as such.

Mr. TALMA: Mr. Chairman, I am dealing with Clause 2 as such. In the absence of any explanation or any clarification as to what it is all about and what it affects, I am now enlightening the Committee as to the effects and the results of this Clause. If what the Government says about it is true, I am saying that it is going to affect the well-being of the people of this country and the cost of living in this country which is going up by leaps and bounds will continue to rise. We have no control over the cost of living; but the Government of this country has control or should have control of it. Instead of trying to control that, they are allowing themselves to be led up the garden path. You are merely perpetuating the existing Defence Regulations which impose all sorts of obligations, restrictions and reservations, whereby in the final analysis we can only secure a certain number of dollars, whether it be a million or a half million dollars, which we can spend outside of the sterling area. I know that Barbados has never tried to secure as many American dollars as the other colonies have tried to do with the result that the cost of living here is higher than anywhere else. A tie like the one I am wearing which may cost one shilling somewhere else costs.....

Mr. CHAIRMAN: The Chair cannot see how reference to the cost of living can be in any way connected with Clause 2, as I see it before me now.

Mr. TALMA: The Defence (Finance) Regulations affect Supplies and Services and in the absence of any explanation I can put my interpretation on it. In the absence of the copy of the Regulations I can place my interpretation on Clause 2 as it appears to me; and my interpretation seems to be the most feasible so far. I am attempting to do what the Government has failed to do.

Mr. CHAIRMAN: I think the hon. member will admit that the Chair has given quite a lot of latitude to you. The hon. member did say that with the permission of the Chair he hopes he would be entitled to put his own interpretation on the matter. However, the Chair would still like to see that the remarks which are made now deal specifically with Clause 2 and not particularly with the Objects and Reasons which already have been passed in the second reading of the Bill.

Mr. TALMA: I rather feel at ease when you are in the Chair because you appreciate the niceties of any argument which has been raised and I have great respect for your knowledge, even if not for your experience. 4.45 p.m.

There are only two Clauses in this Bill. The first Clause is the title of the Bill and it states: "This Act may be cited as the Defence (Finance) Regulations (Re-enactment and Validation) Act, 1959." The second Clause deals with the entire Bill and so I am in this fortunate position today to be able to speak on the Objects and Reasons of the Bill at length in dealing with Clause 2, which is the only other Clause the Bill contains. I am not challenging your ruling, Mr. Chairman; I am very glad to see that you are in the Chair and therefore a great appreciation of my arguments will be accorded. I can speak for hours on this Bill but that would just be a waste of time. The Government having failed to do what they should have done since the 25th March, whether it is through their fault or default, the fact remains that something which should have been done since the 25th March has not been done. This is a matter which has been enacted by the Privy Council in England and which automatically became law in Barbados, although certain leaders claim how advanced is the constitution which we have here. That is all "baloney" if that is a parliamentary word; it shows that in the case of a crisis these things are all torn up. The fact remains that we are governed by the English system. I will not say anything more in this matter; I will leave it to the Government because they are insisting on having it passed.

The question that Clause 2 stand part of the Bill was put and resolved in the affirmative, the Committee dividing as follows:—

AYES: Hon. Dr. H. G. H. CUMMINS, Hon. D. D. GARNER, Hon. R. G. MAPP, Hon. L. ST. A. THORNE, Hon. F. E. MILLER, Mrs. BOURNE and Mr. SEARLES - 7.

NOES: Messrs. CORBIN, TUDOR, TALMA, and BRANCKER - 4.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, the CHAIRMAN reported the passing of the Bill in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

Hon. Dr. H. G. H. CUMMINS: I beg to move that this Bill be now read a third time.

Hon. D. D. GARNER: I beg to second that.

The question was put and agreed to

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that this Bill do now pass.

Hon. D. D. GARNER: I beg to second that.

The question that this Bill do now pass was put and resolved in the affirmative, the House dividing as follows:—

AYES: Mr. STRAUGHN, Hon. Dr. H. G. H. CUMMINS, Hon. D. D. GARNER, Hon. R. G. MAPP, Hon. L. ST. A. THORNE, Hon. F. E. MILLER, Mrs. BOURNE and Mr. SEARLES - 8.

NOES: Messrs. CORBIN, TUDOR, TALMA and BRANCKER - 4.

GOVERNMENT BUSINESS CONCLUDED

Hon. R. G. MAPP: Mr. Speaker, the conclusion of that Bill finishes the business on the Order Paper under "Government Business" for today's Session.

THE ADJOURNMENT

Hon. R. G. MAPP: I beg to move that this House do now adjourn until Tuesday next, the 21st April, 1959, at 12 o'clock noon.

Mr. TUDOR: Are you not fixing the Order Paper?

Mr. SPEAKER: The hon. member can fix it.

Mr. TUDOR: Mr. Speaker, under the Head Private Members' Business, I am asking that Orders Nos. 3 and 4 be made Nos. 1 and 2.

Hon. D. D. GARNER: I beg to second the motion for the adjournment.

Mr. STRAUGHN: Mr. Speaker, I am speaking on a point of privilege. I remember that under the Head "Private Members' Business" the debate was not continued on Item No. 1 standing in the name of the hon. senior member for St. Peter. I notice that the hon. member has left the House. What I would like to know is this: What is the state of that Item now?

Mr. SPEAKER: It is still on the Order Paper. 4.55 p.m.

Hon. R. G. MAPP: Mr. Speaker, I do not know the position, but it strikes me as being a bit irregular to allow the motion by the hon. senior member for St. Lucy to go unchallenged. The Hon. Minister of Labour was anxious to speak on Order No. 1, and he was speaking when you suspended the Sitting at 4 p.m. and has to complete his reply to the Order. After all, this is an important Order, and I think if the hon. member would agree to let his come after that Order, it would be in better grace. We do not oppose his asking to move the Orders, but I think in all fairness his should come after Order No. 1 as Nos. 2 and 3; otherwise I would be the first to oppose his Order.

Mr. TUDOR: Mr. Speaker, I do not want to bring you into this, but I have a distinct recollection that when I made my request a few minutes ago that request was granted and presumably the Clerks have instructions as to what they should do. I do not know how a member of Government can oppose a request, at least, one of that nature. The House granted me leave to have my two Orders placed at the top of the Order Paper and Your Honour is a witness to that.

Hon. R. G. MAPP: Was the motion put, Sir?

Mr. SPEAKER: There is no motion; it is the usual form, and I have never seen it done differently in my eleven years experience here, unless there is any objection, in which case a motion has to be put.

Hon. R. G. MAPP: Then I am certainly objecting in that case.

Mr. SPEAKER: I take it that the objection has come at an inopportune time and not with much grace. I do not think it can be sustained on the grounds and I would not like the hon. member to force the motion.

The question that this House do now adjourn until Tuesday, 21st April at 12 noon was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

5.00 p.m.