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THE

# House of Assembly Debates

(OFFICIAL REPORT)

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SESSION 1959

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## HOUSE OF ASSEMBLY

*Thursday, 30th July, 1959.*

Pursuant to the adjournment the House of Assembly met at 12 o'clock noon 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*); Mrs. E. E. BOURNE; Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. H. A. DOWDING, M.B.E.; Mr. C. B. SEARLES; Hon. L. ST.A. THORNE, (*Minister of Education*); Mr. G. E. S. STRAUGHN and Mr. J. W. CORBIN.

*Prayers were read.*

### MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the meeting of the 21st July, 1959, have been circulated and unless there be any objection, these Minutes will now be taken as read and confirmed.

*There being no objection, these Minutes were taken as read and confirmed.*

Mr. BRYAN entered the House and took his seat.

### QUESTIONS

Mr. STRAUGHN: To enquire of the Minister of Health and Social Services:

1. Is the Minister aware of the existing anomaly in the present wages of the chauffeur employed at the Speightstown Health Centre in the Parish of St. Peter?

2. Is the Minister aware that such employees prior to recruitment have been recommended by the examining officers of the Highways & Transport Department to be put on the higher scale of wages for motor vehicle drivers in Government employment?

3. Is the Minister aware that this employee is the only such driver employed at a local Health Centre to receive wages on the lower scale for drivers of motor vehicles?

4. If the answers to Nos. 1, 2, & 3 are in the affirmative will the Minister seek to remedy this anomaly as soon as possible?

Mr. STRAUGHN: To enquire of the Appropriate Minister:-

1. Is it the intention of Government to install Public Telephones in the rural districts of the Island?

2. If the answer to the above is in the affirmative will the Minister state how soon may these installations be expected, and if possible in what order of priority?

Mr. STRAUGHN: To enquire of the appropriate Minister:-

1. Is the Minister aware that already at the new Terminal Building at Seawell Airport passengers are expressing alarm and concern at the very limited seating accommodation that is available at the snack bar?

2. If the answer to the above is in the affirmative will the Minister take immediate steps to have this situation remedied?

3. Is the Minister aware that the facilities provided for the Health Authorities to carry on their work at the Airport are adequate?

4. Is the Minister aware that visitors to the Airport are now experiencing undue difficulties and inconvenience in making contact with incoming passengers?

5. Is the Minister aware that incoming passengers also find it unduly difficult to make contact with taxis or private cars that may have come for them?

6. If the answer to 4 & 5 are in the affirmative will the Minister state how soon and in what manner this situation will be remedied?

### Mr. DOWDING RAISES MATTER OF PRIVILEGE

Mr. DOWDING: Before Your Honour calls the first Order of the Day, I rise on a matter of privilege. For some time now, week after week, the reports of Hon. members of this House have either been put in the daily newspaper incorrectly or garbled in some way or other. I have here a copy of today's *Advocate* and on page five, under the heading "M.P. Unhappy about H. & T. Department", there is the following statement:

"THAT the Highways and Transport Department was one about which he was not very happy was Mr. H. A. Dowding's observation in the House on Tuesday."

Mr. BRANCKER: The Reporter of the *Advocate* is now coming in.

Mr. DOWDING: The fact that the Reporter is now coming in will only indicate how the dignity of this House is lowered by the Reporters and the Press of this Island.

The Report goes on to say:

"Mr. Dowding, senior member in the House for St. George, drew the attention of the Chamber to the fact that

they were now being asked for money for the purchase of a traxcavator when in truth the machine had not only been ordered, but had already arrived in the island."

Now, Mr. Speaker, that has never been said in this House, not by me nor by any other hon. member. The Reporter was either asleep or had second-hand information on the matter. In my referring to the fact that something was in the island, I referred to the D9 tractor and not to any traxcavator. That is a statement made by the Reporter which is absolutely incorrect.

It goes on:

"He charged this action by Government as being undemocratic and not in the interest of the taxpayers of the island. He also charged that the House had been treated with discourtesy and the addendum should have been changed to indicate that the traxcavator was already in the island."

Sir, I usually get up with facts when I speak in this House. I know of no traxcavator in the island which has been ordered by the Government. I know for a fact that a D9 was in the island, and that is a statement which I made and which was corroborated by the Hon. Minister of Agriculture. The reasons for its being in the island were given by him. Here in the daily newspaper it is stated that I said that the addendum should have been changed to indicate that the traxcavator was already in the island. I said nothing of the sort.

The Report goes on:

"Hon. D. D. Garner, Minister of Agriculture, admitted that it was true that the traxcavator was already in the island."

The dignity of this House is being lowered day after day. A week or two ago it was reported that I said that a tractor cost \$5,000. I said that a truck or motor lorry cost that, but I never said that as regards a tractor. Time and time again reports are made in the newspapers not only of matters which come up in this House but in the Other Place also which are absolutely and utterly wrong. In my opinion, the reports are getting worse day after day.

The Report on this matter goes on:

"He explained however that it was only by coincidence that the machine had arrived so quickly. They had anticipated that the Resolution would have been approved by the House before the arrival of the machine."

Well, Sir, I never heard the Hon. Minister say that the traxcavator was already in the island. The Hon. Minister of Agriculture said nothing like that and in my humble opinion that statement cast aspersions not only on the Hon. Minister but on this Hon. House.

It goes on:

"Mr. Dowding thanked Mr. Garner for the explanation but contended that the traxcavator should not be committed to expenditure without the sanction of the House. He regarded the machine as a light one for a heavy programme."

I appeal to Your Honour to see that it is your duty to uphold the dignity of this House. It is my intention, with the agreement of hon. members, to move a motion in here later on today that the Editor and the owners of the *Advocate* be brought before the Bar of this House to have these complaints put right one way or the other. I regret that I have not had the time to go into this procedure fully but I know Your Honour will assist me.  
12.25 p.m.

Mr. SMITH: Mr. Speaker, am I in order to speak on this matter?

Mr. SPEAKER: Yes.

Mr. SMITH: As far as this report goes, I know that there was a time and indeed at all times this particular newspaper reports on other members of this House. Speaking from memory, this newspaper is so much out to put the hon. senior member for St. George up in the skies politically, that it puts his photograph in the newspaper as well. This newspaper so much wants to put up the hon. member that this time it might have mixed the medicine a little badly, and the hon. member must be satisfied and remember when they put him up. Word for word where certain hon. members are concerned, you can see what they have said in that newspaper and as far as some other members are concerned, you do not even know that they are in the House when it comes to this newspaper. However, when it is something which will cast a reflection on a particular member, you can see it word for word and it is put in a fighting contest form. You will see round No.1, round No.2 and so on!

I think that the hon. senior member for St. George was in this House then and he never drew to Your Honour's attention the fact that the dignity of the House was being lowered or applied to you for your protection; but now it is his right to do so if the newspaper has reported him wrongly. There was a time when the newspaper reported him rightly and it so much wanted to put him in the lime-light, that his photograph was put in the newspaper as well. I feel that this is his newspaper.

Mr. DOWDING: Mr. Speaker, I object to that. I have nothing whatever to do with this newspaper either financially or otherwise.

Mr. SMITH: Well, Sir, judging from the way in which the newspaper tried to report him, I thought so. Some people will want to make a good picture of a particular thing and every minute they will do something until when they have have finished they make a bad job of it by doing too much. This newspaper now has the hon. member on the reverse, they so much wanted to put him up.

As far as the dignity of the House being lowered by this newspaper is concerned, it wanted to do that ever since; but the newspaper cannot lower the dignity of this House. You will notice that certain speeches are made in this House and when you expect to see them in the newspaper, you do not see them; and there are certain other speeches which you did not expect to see in the newspaper but you see them. When the newspaper refers to round No.1 and round No.2 it makes this Honourable House appear as if it were a fighting stadium and nobody says anything about it. You will see the report of a meeting of the Northern Council and the report of a meeting of the Southern Council is quite a different thing. If I am not mistaken, I think that the name of the hon. senior member for St. George takes up nearly a page in this particular newspaper so that this newspaper is out to help the hon. member. I think that he should have called up the people responsible on the telephone and say: "You have tried to do so much that you have spoiled it." I am not against the newspaper doing that for the hon. member; anybody would like to see his speeches in the newspaper but not when they are wrong. I believe that the hon. member has smiled when he sees the other speeches; but what goes up must come down.

Mr. CORBIN: Mr. Speaker, I would be pleased if you would allow me to say a few words on this matter. I have sat and listened with much interest in the matter. I am sorry that in this island we have not got a different machinery set up instead of Reporters so as to record what is said in this House. I think that the Reporters should report in the newspaper the exact words that are spoken in this House. The people cannot hear what is said because the news is not broadcast at 8 o'clock any longer. In other islands every speech made by every member of the Legislature is broadcast throughout the islands so as to allow the people to know what the members of the Legislature are doing for them. When you take up a newspaper and read it, whereas this hon. member or that hon. member may have a good speech, you do not see or hear one word about it. I would

not say that filthy lucre is the cause of that, but it may be that filthy lucre is the cause of it. Why does the newspaper not execute its duty.....

Mr. SPEAKER: Is the hon. member still speaking on a point of privilege?

Mr. CORBIN: All right, Sir, I would be glad if every word which is spoken is quoted whether it is a mistake or not, either in the newspaper or in the Official Report and let the public see what every member has said.

Hon. D. D. GARNER: Mr. Speaker, I did not want to be involved in this matter, but as I happened to be one of the members quoted in the newspaper, I think I should make this observation.  
12.35 p.m.

I think that is an error on the part of the printers of the paper, and I am very sorry that it has happened because certain members are very much perturbed. The facts are that no tractor is on the island, it happens to be a D9 tractor for the Soil Conservation Department, and I think the Reporter got his facts mixed up. I do not know if he happened to be present when the matter was being debated two such items were debated at Tuesday's meeting but I think he has his facts all mixed up; but be that as it may, that is a matter for the person who proposes these other penalties, and I am not going to get into that. All I am concerned about is the feeling of the Department when it was stated that the Highways and Transport Department did certain things which they had not done. That is all I am worried about.

Mr. DOWDING: Mr. Speaker, I deeply regret the attitude taken by the hon. senior member for St. Joseph on this matter. I brought a specific case. I have referred to no vague generalities but to one other case which I know of concerning me personally. To suggest in any way that this newspaper tries to build me up and at the same time pull me down is not the point at issue. The point at issue, I submit to Your Honour, are the facts which are before us today. I do not intend at this stage to enter into any argument on what he has said. I leave that to hon. members of the House and yourself to judge. I have quoted a specific instance and said it is not the first time, and I leave the matter in the hands of hon. members of this House.

Mr. SPEAKER: Since the hon. member for St. George has brought to the attention of this Honourable House a point of privilege, it is the serious duty and obligation of this House to consider very carefully the accusation that has been made by the hon. member for St. George against the printing of a certain matter which deals with a debate which took place in this Chamber on Tuesday last.

Like the hon. member for St. George, I am not very happy about the attitude taken by the hon. member for St. Joseph. I think the attitude of every member of this House should be to examine carefully the allegations made by the hon. member who raised the point of privilege; and if after deliberation they consider that this particular newspaper has broken a privilege of this House, they should be very serious about it.

Again I do not favour the attitude taken by the hon. member who spoke, since I think he told this House that he would not get into something. It would be a very sad day if hon. members take that attitude in this Hon. House that they are not to get into matters of this sort. Quite recently hon. members will remember that I pointed out and it is still there that the time has seriously come when this House will have to set up a Committee of Privileges to safeguard and retain its own self-respect. If the attitude of hon. members is that of *laissez-faire*, I hope that the public in Barbados in general will not lay the blame on me who happens to be Speaker of this House. The Speaker can do no more than the House wants. I speak for Parliament and I can only speak what Parliament bids me to speak; that is all. I have no more or no less power.

If the attitude is to be one of *laissez-faire*, what embarrassment this Chamber suffers from any quarter inside

or outside of this Chamber is going to be thought very very hard for this House of Assembly, and whoever is Speaker of this Chamber will be able to exonerate himself from any blame, if he finds that he is not backed in his pronouncements on matters of this sort.

I have had many times before, to make reference to this particular newspaper. My memory serves me well that time and again I think I have had righteous indignation as far as that newspaper is concerned. This House has never acted; and until a Committee composed of responsible members of this House is prepared to sit in and safeguard its privileges, these things will continue, and they will think the House has no power. That is not true.

I give the hon. member this assurance, that I will study his report very, very seriously, and I hope within the very near future the House will respond to the invitation which I gave not so very long ago and set up a responsible Standing Committee which will safeguard and maintain the dignity of this House.

Mr. DOWDING: Mr. Speaker, I thank Your Honour for those words of wisdom.

Mr. SPEAKER: The first Order of the Day stands in the name of the Hon. Premier to move the second reading of the Income Tax (Amendment) Bill, 1959.

#### THE INCOME TAX (AMENDMENT) BILL, 1959

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this first Order deals with certain amendments to the Income Tax Act, and so to speak embodies in legislative form certain proposals in my Budget Speech. I think those proposals are still fresh in the minds of hon. members, and these amendments as I said seek to put them into legislative form.

Now I will review briefly the Clauses affected in this particular Act by the proposed amendments before us. Clause 2 of the Bill before us seeks to amend paragraph (c) of Subsection (1) of Section 5 of the Principal Act, and that is incomes in respect of which tax is payable. It sets out that tax shall be payable in respect of income arising or accruing to any person residing in this island and derived from interest of money, annuities, and any other profits or gains from sources within or out of this island etc., and the words to be included in this subsection are "and other annual payments", which will be inserted immediately after the word "annuities".

The reason for that amendment is obvious because it makes it clear that not only annuities but other annual payments are liable to tax, and that what is taxable in Section 18 of the Principal Act will be taxed except in the case of charity in the hands the recipient.

Clause 3 of this Bill seeks to amend Section 10 of the Principal Act. As is set out, "for the purposes of this subsection the assessable income shall be calculated in the manner set forth in Section 9 of this Act." Section 10 when amended will then read as follows:-

"Subject as otherwise provided in this Act the tax upon the assessable income of every company or association other than the companies and associations mentioned in Section 7 of this Act which shall be assessed at rates fixed annually, shall be charged at the rate of 40 cents on every dollar of the assessable income thereof."  
12.45 p.m.

It also makes provision for building societies. Under the Act of 1889, there is provision made for building societies and it is now proposed that these building societies should be taxed at the rate applicable to insurance companies and that is at the rate of sixty cents and not at the rate of forty cents. That is being done for the purpose of encouraging the formation of these building societies.

Clause 4 inserts a new section to the Principal Act. This Clause prevents persons from reducing their tax assessments which otherwise would be the income of the said person. It provides:-

"Where by virtue or in consequence of any settlement and during the life of the settlor any income is paid directly or indirectly to or for the benefit of a minor in any income year, the income shall, if at the end of that year the minor had not attained the age of twenty-one years, be treated for the purposes of this Act as the income of the settlor for that year and not as the income of any other person."

Clause 5 replaces paragraph (1) of Section 13 of the Principal Act which was repealed by the Income Tax Act of 1945. That Section becomes subsection (1) and a new subsection is added and the relevant sub-clause refers to friendly societies. The following new paragraph reads as follows:-

"the income arising from the investments of any provident or superannuation fund or scheme approved by the Commissioner under section 18A of this Act;"

"(ii) the income of a Vestry or other parochial board or body established under the law of the Island."

Then you get the other paragraphs and subsection 2 is added which reads as follows:-

"Nothing in this section shall be construed to exempt in the hands of the recipients any dividends, interests, bonuses, salaries or wages paid or credited to any person wholly or in part out of the income so exempted."

Then we go to Clause 6 which provides for the separation in the case of certain purchased life annuities of any annuity payment made into a capital element and an income element. Provision is made for ascertaining the capital element of each payment and this capital element will not attract tax.

Then we go to Clause 7 which amends Section 18 of the Act so as to make it clear what annual payments are allowable as deductions under that section. It provides that payments made for valuable and sufficient consideration are so allowable. It also provides that payments made by virtue or in consequence of certain settlements are allowable but conditions are imposed. The proviso in paragraph 2 of Section 18 is deleted and substituted by the following:-

"Provided that no payments shall be deducted under this paragraph except:-

(a) payments made for valuable and sufficient consideration;

(b) payments made by virtue or in consequence of any settlement made, directly or indirectly, by any person after the first day of January nineteen hundred and fifty-eight where --

(i) such payments are payable to or applicable for the benefit of any other person for a period of not less than seven years, or, in cases where such payments are payable exclusively for charitable, religious, educational or scientific purposes of a public nature within the Island or for any of such purposes which being without the Island, are approved by the Governor-in-Executive Committee for the purpose of this paragraph, for a period of not less than three years;

(ii) the settlement by virtue or in consequence of which such payments are payable is not revocable; and

(iii) the settlor has no interest in any income arising under or property comprised in the settlement.

I think the deduction with which most people are concerned is the question of the deduction for the education of children. The relative amendment reads as follows:-

"(ii A) The amount of the deduction in respect of a child shall vary according to the age of the child at the end of the income year, and --

(a) in respect of a child shown by the claimant to have been over the age of sixteen years, shall, if the child was receiving full time instruction as aforesaid within the Island, be four hundred and twenty dollars, and if the child was receiving full time instruction as aforesaid outside the Island, be six hundred dollars;

(b) in respect of a child shown by the claimant to have been over the age of twelve years but under the age of sixteen years, shall, if during the income year the child was receiving full time instruction at a college or at a secondary or technical school, be three hundred and sixty dollars;

(c) in any other case shall be two hundred and seventy dollars."

Those are the most important amendments in this Bill and I beg to move that this Bill be now read a second time.

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

Mr. DOWDING: Mr. Speaker, I am indeed grateful that the Hon. Premier has allowed us this time to consider this very important Bill. As Your Honour knows, this Bill was delivered to us on the evening of Monday the 27th of this week. My Party has been able during the course of yesterday to consider this document with its members and with its supporters and we have found nothing controversial in it. It is only a matter of implementing the promises which were made by the Government and of tightening up on certain other laws relating to minors.  
12.55 p.m.

We thank the Premier for his statesmanlike way in giving us an opportunity of considering this document. Unfortunately, due to the condition of the Laws of the island at the present moment, it is quite a job to unravel the places where the various amendments come in between the laws. I would like to thank the Premier, and as a matter of fact I would like to state that the hon. Leader of this Party has asked me to thank the Premier for the time which we have had to consider this Bill.

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

*On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. SPEAKER being in the Chair.*

*Clauses 1 to 2 inclusive were called and passed.*

*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.

On motions of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER in each case, the Bill was read a third time and passed.

#### ORDER POSTPONED

Hon. D. D. GARNER: Mr. Speaker, I am asking leave to postpone Order No. 2 and to take Order No. 3 as the next Order of the Day.

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

#### RESOLUTION re APPOINTMENT OF INSPECTOR OF WELLS

Mr. SPEAKER: The next Order of the Day is to move the passing of the following Resolution:- Resolution to authorise the Water Board to appoint an Inspector of Wells.

Hon. D. D. GARNER: Mr. Speaker, this Order deals with a Resolution relative to the appointment of an Inspector of wells on the staff of the Water Board of this island. For some time now, we have had irrigation work going on and the Water Board is competent to see to it that the water of this island is not polluted, to get certain statistics as to how deep these various wells are and also to look for certain deposits. In order to carry out this work it is necessary to appoint an Inspector of Wells. I beg to move that this Resolution do now pass.

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

Mr. DOWDING: Mr. Speaker, I am indeed grateful to see that this Inspector of Wells has been appointed. I consider this matter as a very important matter.

Hon. D. D. GARNER: On a point of order. The Inspector of Wells has not yet been appointed; we are now seeking to appoint him.

Mr. DOWDING: I thank the Hon. Minister for correcting me. I feel that this is a very important matter as this hon. House can very well realise by the questions which I tabled in this House not so long ago.

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

1.05 p.m.

#### ADJOURNMENT

Hon. D. D. GARNER: Mr. Speaker, that concludes Government business for today, and I beg formally to move that this House do now adjourn until Tuesday, 15th September at 12 noon.

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

Mr. BRANCKER: Mr. Speaker, in supporting that motion, may I take this opportunity of wishing you, Sir, a very happy holiday and even our friends on the opposite side?

Sir, I think it would be as well to say that it would be proper for it to be generally known that every year in the absence of any emergency the recess will be, as is known in other Parliaments, the month of August and the first half of September so that certain members who may want to make arrangements to spend their vacations would be able to make their arrangements with reasonable foreknowledge before-hand that Parliament would be in recess and when it will be in recess. There is no reason to make that a state secret which only members of the Government Party should be aware of before-hand. It is elementary in any Parliament that there is a period of recess or three periods of recess; certainly it is so with the Mother of Parliament, and hon. members know well before-hand the probable time and make the necessary arrangements either to do additional private business during that time, or those who can afford it like hon. members on the other side make arrangements for vacations abroad or at the seaside.

Mr. DOWDING: Mr. Speaker, I would like to associate myself with the remarks of the Hon. Leader of the Opposition, and to wish you a very pleasant trip. If by any chance you happen to come across any information on sugar-cane which you could bring back to enlighten us, we would be very grateful. I wish all hon. members of this House a pleasant relaxation.

Mr. CORBIN: Mr. Speaker, I wish you God speed on your departure and a safe and happy journey.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, if I may be allowed, I certainly reciprocate the sentiments expressed by members on the other side and wish not only yourself but all of us a pleasant recess.

Mr. SPEAKER: I must thank hon. members on both sides of the House for wishing me a good holiday and a pleasant trip to Australia and a safe return. I will tell the hon. senior member for St. George who wishes me if possible to obtain any information from Queensland, the sugar-bearing state of Australia, that I will be very happy to find out all I can and bring back any documentary matter which may serve this island. I wish all hon. members a happy holiday.

*The question that this House do now adjourn until Tuesday, 15th September at 12 noon was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.*

1.15 p.m.