
THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1960

HOUSE OF ASSEMBLY

Tuesday, 9th August, 1960.

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*); Hon. M. E. COX, (*Minister of Trade, Industry and Labour*); His Honour Mr. L. E. SMITH, J.P., (*Deputy Speaker*); Hon. R. G. MAPP, (*Minister of Communications, Works and Housing*); Mr. E. St. A. HOLDER; Mr. C. E. TALMA; Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. H. A. DOWDING, M.B.E.; Hon. L. St. A. THORNE, (*Minister of Education*) and Mr. J. W. CORBIN.

Prayers were read.

MINUTES

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

Hon. F. E. MILLER, Mr. BRYAN, and Mr. T. W. MILLER entered the House and took their seats.

PAPERS LAID

Hon. M. E. COX: Mr. Speaker, I am commanded to lay the following:-

The Exportation (Drawback of Duties on Locally Manufactured Woodwork) Regulations, 1960.

The Factories (Amendment) Regulations, 1960.

Mr. DOWDING SPEAKS ON A MATTER

OF PRIVILEGE

Mr. DOWDING: Mr. Speaker, I rise on a matter of privilege. The first time that I found out that there was a meeting of this House on Thursday last was through the medium of the newspaper. I consider it absolute discourtesy to hon. members that they are not notified when a meeting of the House is to take place.

Sir, I have risen in this House often on matters of privilege and drawn to Your Honour's attention that Your Honour should, and I know in the future will, ascertain that these matters of privilege do not occur. I may also say that I have not received the Order Paper for today and that, Sir,

again I consider a matter of privilege particularly in the light of the fact that the Order Paper of Government Business for the whole of this year has been little or, in some cases, nothing.

Now, Sir, members of this Honourable House can be in no position to carry out their duties towards the people of this country if (a) they are not informed of meetings of the House officially, but must learn from the newspapers and (b) if on the same day they come to discuss business the Order Paper is to be presented. I have always said that these matters are important to the conduct and the dignity and the efficiency of this Body and that these matters should not occur in this Honourable House.

I do hope that those hon. members who feel the same way as I do will support me on this matter of privilege.

Mr. BRANCKER: Sir, further to the point which the hon. and gallant senior member for St. George raised, I wish to say that I am also in a position of not being in possession of an Order Paper for today, and in respect of the last meeting there did not appear on the Order Paper a notice which I had given notice of at the previous meeting on Tuesday in connection with the appointment of an Electoral Boundary Commission relative to single member constituencies. That did not appear on the Order Paper of the last meeting of which I was in receipt of a copy and I think this matter needs some serious going into by no less a person than yourself in order to ensure that these things do not occur.

Mr. WALCOTT: Mr. Speaker, I take a more serious view. The business of the House should not be proceeded with if the Order Paper has not been sent out, and if there is not Order Paper, there should be no business conducted. I say that because there is too much smugness about members of the Government. If the Government in dealing with matters concerning the Executive Committee decided to call a meeting of the Executive Committee and members were not informed that there was a meeting, there would be no meeting of the Executive Committee. It is therefore discourtesy which is meted out to the members of this Honourable Chamber if the Rules of this House say that an Order Paper should be distributed and hon. members receive no Order Paper.

Mr. SPEAKER: Is the hon. member saying that the Order Paper has not been received by him?

Mr. WALCOTT: I have not received any. That Order Paper has been distributed, but to be quite frank, I was not quite sure if there were going to be a meeting of the House today, and as Your Honour knows, to go by the newspapers, they can be very wrong at some times. Anyhow, I heard through the newspapers and on the radio that there was going to be a meeting today and as I was not on the telephone to get the Clerk, I thought the best thing to do was to come.

Hon. M. E. COX: Mr. Speaker, perhaps if the hon. member who has just spoken did not refer to the Government, I would not have risen.

Mr. SPEAKER: As a matter of fact, I am not interested in matters of the Government, but I think the hon. senior member for St. Peter only made use of the remark by way of illustration.
12.25 p.m.

Hon. M. E. COX: With great respect I still intend to say exactly what I was about to say. If it were not for the fact that the hon. member referred to the Government, and the smugness of the Government, I would not have risen. The administration of this House is no business of this Government. When we meet as members of the House we come here to do the people's business; when we leave here, that is the end of it as far as the House is concerned. Your Honour is in charge of the administration of the House; you are in charge of the Clerks, the Reporters and everything else. We are not responsible for them and if the hon. member did not get an Order Paper, that is not the fault of the Government. At every beck and call the hon. member tries to say or to show that there is something innate, clandestine and smug. Where is the smugness? If the hon. member did not receive his Order Paper, this is the usual time of the year when the wealthy people go to holiday resorts like Bathsheba.

Mr. SPEAKER: I am not interested.

Hon. M. E. COX: I know that you are not interested. The hon. senior member for St. George was at one of his summer resorts and other hon. members too, including the hon. Leader of the Opposition. I understand that the hon. member has a good place down at Silver Beach.

Mr. WALCOTT: On a point of order. I do not want to interrupt the ignorant statement made by the hon. member. I spoke about the smugness of the Government, but if he is such an ignoramus as to believe that people are not entitled to a holiday, I do not belong to that class. Every man and woman who is working is entitled to a holiday. If the hon. member has not emancipated to the stage where he believes that people are not entitled to a holiday, he can still wallow in the mud.

Hon. M. E. COX: That is not a point of order.

Mr. SPEAKER: The hon. member did make reference to the smugness of the Government.

Hon. M. E. COX: I will not follow the hon. member down the gutter. All I am saying is this; if they were having a holiday and were not at their places

Mr. WALCOTT: On a point of order. That is absolutely nothing to do with your receiving an Order Paper. You have an address and we live somewhere. If the hon. member does not have an address, I have one.

Hon. M. E. COX: Anyhow, Sir, where we are concerned, we have our Order Papers. I think that the hon. junior member for St. Andrew has one and all around hon. members have their Order Papers. I have one, the hon. senior member for St. James has one and so has the hon. senior member for Christ Church who is holding his Order Paper in his hand. So if hon. members do not have their Order Papers, what are we to do? When the hon. member talks about smugness, that is a word which he borrows from somebody else, the meaning of which he does not know.

Mr. CORBIN: Mr. Speaker, I am sorry that I have to speak in this debate. I have received my Order Paper but some mistake seems to have been made in the case of other hon. members, and I think a proper adjustment can be made. It does not need all of this argument; it simply needs simple reasoning. We do hope in future that mistakes will be adjusted in the right way. That is all.

Mr. SPEAKER: Is there any other hon. member who desires to speak before I address the House? (After a

pause.) The point I will deal with, first of all, is the one which has been raised by the hon. senior member for St. George about his not receiving a summons for the meeting of the House last Thursday. The hon. member was as much entitled to have a summons for that meeting as any other hon. member; but the Clerk has explained to me that the Order Paper, which in itself, is the means of an official summons to the House, was ready only on Thursday morning and he has admitted that he omitted to telephone the hon. member at his place of residence or of business. If that is so, that is accidental; but I would like to let the hon. member know that there is absolutely no attempt made at discourtesy — none whatever. I do not agree with the hon. member even mentioning the word "discourtesy" at all. No officer of this House can think of being discourteous to any member of this House.

The second point concerns this meeting. Certain hon. members, at least three of them, have said that they have not received any Order Paper for today's meeting. That is a very serious matter. I am strongly tempted to agree with the expressions voiced by the hon. senior member for St. Peter. Every hon. member of this Chamber should receive an Order Paper for today's meeting. The Order Paper is the Agenda of this House and if an hon. member does not receive his agenda, he does not have to know that there is a meeting going on at a particular time; however it is difficult to come to any hard conclusion because it may mean that one hon. member — in this case, it is three hon. members — may have had his summons delayed in the mail, and I do not think that under such circumstances the House would ask me to rule that there should not be any meeting. Every hon. member must always be properly summoned, which means that he must be in receipt of his Order Paper in order that he may know that a meeting of the House is going on. But it may appear extravagant that if two hon. members got their Order Papers and one hon. member did not get his, such an accident should be put down as the fault of any Officer of this House. Sometimes one points to an extreme case so as to arrive at a conclusion in a case; that is why I am speaking in the manner in which I am addressing the House. I think I would have come to a clearer judgment if those three hon. members had been absent from the House; but due to the mere fact that they are present, I do not think hon. members would wish me to declare today's meeting null and void; those hon. members have not received their summons for today and are present.
12.35 p.m.

That is the position and I will repeat that. Three hon. members have stated that they have not received their Order Papers, but those three hon. members are in this Chamber. In other words, they thought it their duty to come and are here now. If those three hon. members had absented themselves and come to a subsequent meeting and protested, I would have to come to a decision as to declaring this meeting under those circumstances null and void; but the fact that those hon. members are here in their places today tempers me from coming to such a conclusion.

I think hon. members will appreciate the position I am in now, and I would not like, having seen so many members in their places, including those three who have made this protest, to feel it incumbent on me now to declare this particular meeting null and void because those hon. members have not received their Order Papers. I think we have exhausted the matter. Mark you, I feel very strongly about the words used by the hon. senior member for St. Peter, because I feel like him that one member not having an Order Paper might have been sufficient to declare this meeting null and void; but circumstances temper conditions and those hon. members who made the protests are now in their places. Under the circumstances, I think the majority of members present would prefer this meeting to continue, and I think under the circumstances it should continue.

Mr. BRANCKER: Mr. Speaker, may I just say that I am not on holiday and am at my regular address where I am twelve months of the year?

Mr. SPEAKER: I would like to say this: I am sorry the hon. member had to rise to make that point, but as far as Mr. Speaker is concerned, holidays of hon. members in their private capacities must be none of my business.

PAPERS LAID

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

Barbados Statistical Service Quarterly Digest of Statistics, No. 14 - June, 1960.

Statement showing gross Customs and Excise Receipts for three months ended 30th June, 1960.

GOVERNMENT NOTICES

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to give notice of the following:-

A Bill to amend the Peasants Loan Bank Act, 1936.

A Bill to amend the Housing Act, 1955.

A Bill to amend the Public Employees Pension Act, 1937.

Hon. R. G. MAPP: Mr. Speaker, I beg to give notice that the Oral Reply to Question No. 14/1960 asked by the hon. senior member for St. Lucy regarding Government's intention with respect to the Transport Board is now ready.

Also, the Oral Reply to Question No. 35/1960 asked by the hon. junior member for St. John regarding the construction of the East Coast Road is now ready.

BILLS READ A FIRST TIME

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. R. G. MAPP, a Bill to amend the Peasants Loan Bank Act, 1936, was read a first time.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, a Bill to amend the Housing Act, 1955, was read a first time.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, a Bill to amend the Public Employees Pension Act, 1937, was read a first time.

Hon. M. E. COX: Mr. Speaker, I am asking leave to postpone Order No. 1 and to take Order No. 2 as the first Order of the Day.

Mr. SPEAKER: The Hon. Minister is asking leave to postpone Order No. 1 and to take Order No. 2 as the first Order of the Day, and unless there be any objection, leave will be granted.

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

FISHING INDUSTRY (AMENDMENT) ACT, 1960

Mr. SPEAKER: On the adjournment, the House was in Committee on the Bill.

Mr. SPEAKER left the Chair and the House resumed Committee, Mr. BRYAN being in the Chair.

Mr. CHAIRMAN: On the postponement, the Hon. Minister of Agriculture was speaking on Clause 3.

Mr. TALMA: Mr. Chairman, before you put the question, I would like to refresh hon. members as to the motion which I made on Clause 3, 9A. The position, Sir, is that we have now a Cabinet system of Government and we have gone a long way towards full self-Government, and I feel that in all legislation of this nature, the most appropriate person to administer it would be the Minister. The final power should be vested in the Minister and not the Director. Here we have in Clause 3 that the principal Act is hereby amended by inserting immediately after section nine thereof, the following new section to be numbered 9A:

"9A. (1) The Director may revoke any licence issued by him under the provisions of section nine of this Act if he

is satisfied, after giving the holder of the said licence an opportunity of being heard, that the said holder has been convicted of an offence under section nineteen of the Fisheries Regulations Act, 1904."

12.45 p.m.

Now, this is vesting in the Director of Agriculture, whose policy normally is diametrically opposed to any Labour Government, the power to revoke ordinary fishermen's licences, and in my opinion to vest that power in him is not in the best interest of the average fisherman. As I have said earlier, this proposed amendment to the Fishing Industry Act, 1952, would be of no help to fishermen, and they are only burdening them with fines, penalties, revocations of licences and things of that sort, which is just a lot of red tape. When you go as far as to vest the power of revoking licences in the hands of the Director of Agriculture, I feel that is wrong; I feel that power should be vested in the Minister of Agriculture or the Governor-in-Executive Committee. Why in issuing licences in connection with alien control companies holding land have you to go to the Governor-in-Executive Committee and receive the consent of that body? If the Governor-in-Executive Committee has clothed itself with the power of issuing such licences, well, stick to that principle. If you have the power to issue licences, well, give yourself the power to revoke them. If you have one central licensing authority for one and if the highest power is the Governor-in-Executive Committee, as far as the administration of the Government is concerned, and if you vest the power of issuing licences in the Governor-in-Executive Committee for one thing, well then, let us have one authority for granting them and revoking them. Am I to understand that the fishermen do not matter, so like that, the Government is saying "let the Director of Agriculture see after that"? I feel that a greater amount of fairplay, justice and equity would be meted out to the fishermen if the power to revoke their licences is vested in the Governor-in-Executive Committee, which is tantamount to the Minister of Agriculture.

This amendment, Sir, will work any amount of hardship on the average fisherman because the object of this amendment mainly is to impose a burden on the average captain or man in charge of a fishing boat, in that not only must he be licensed in order to go to sea, but also anyone who wants to go out fishing with him must be licensed, and the captain or the man in charge of a fishing boat will have to see that his partner is licensed and he will have to check on that person's licence all the time because if in case any member of the crew happens not to be in possession of a licence he, the captain of the fishing boat will be exposing himself to a penalty of \$5.00 in one case, \$50 in another case and \$120 in another case. That is not helping fishermen; that is only a lot of red tape and paraphernalia with which the average fisherman would not be acquainted.

Do not impose all these regulations and rules on these fishermen because the average fishermen do not understand all of this. Not one of the people in the Ministerial Office, in the Fisheries Department or in the Agricultural Department is going to the trouble to explain all these things to the fishermen so that the majority would understand what it is all about. What is going to happen is that suddenly, by chance one day, these amendments to this Act would be brought in force, and regulations would be made to penalise somebody whom one may think to be an upstart. This would be imposed on certain occasions to suit the whims and fancies of certain people. I know how this would be enforced. Everybody will go without a licence as they did before; but bright and early some day, somebody would be penalised and some trap would be set for some particular person because that person has not found favour in the sight, not necessarily of the Government, but somebody in the Fisheries Department.

Because of all that, I feel that this authority should be vested in the Governor-in-Executive so as to give them the power of revoking a licence; and if it is not vested in the Governor-in-Executive Committee, it should be vested in the Minister of Agriculture — but I would prefer that it be vested in the Governor-in-Executive Committee. Let the whole Executive Committee go into a matter like this because you cannot revoke a licence from a fisherman and

take it away from him like that. Although it may look a rather slight matter to some of us, it is dealing with the bread and butter of a fisherman who may be the breadwinner of eight or ten children. It is a question of taking bread and butter from him. As I have said, I have very little confidence in any Director of Agriculture administering this matter in the most equitable manner and it is for that reason that I feel this power should be vested in the Minister of Agriculture himself who is a politician and who should have the interest of the people more at heart. The Hon. Minister of Agriculture in this particular case has many fishing beaches in his constituency and I will say that that is the case with most hon. members with the exception of the hon. member on my right, the hon. senior member for St. George and the two hon. members for St. Thomas. All of us have fishing constituencies along with agricultural ones.

I want to remind the Hon. Minister in this case that he has many big fishing villages in his constituency. There are the Crane, Foul Bay, Long Bay and a lot of other bays. A fair number of fishing launches is up there and I speak with some authority because I had the privilege of assisting many fishermen up there. When I was Minister of Agriculture I did not think of Christ Church alone; I saw to it that everybody received assistance. You can very well see that I am not speaking of giving assistance to fishermen at Silver Sands and Oistins alone. I am speaking of fishermen island-wide, wherever we have fishing launches and wherever fishermen are expected to pay their loans. It must be borne in mind that fishermen have borrowed money to put in engines and they have to repay their loans. If we take away and revoke their licences easily, how can they repay their loans?

I hope the Hon. Minister of Agriculture will see the wisdom of accepting an amendment like that and instead of using the words "Director of Agriculture" would say "Governor-in-Executive Committee". That will be a more equitable way of doing things and it will be more in keeping with the policy of the Government. As I have said, the power of issuing licences to aliens and alien control companies is vested in the Governor-in-Executive Committee; so I wonder if it is believed by the Minister of Agriculture and members of the Government that fishermen are of the lower strata of the population and because of that they are not interested in them. Some of them may believe that and because of that they may not be interested in explaining what this is all about to them. The fishermen mean a lot to us and if we develop our fishing industry as we have developed our agricultural industry, this country would be better administered.

12.55 p.m.

Mr. BRANCKER: Even if the Director is given power to revoke a licence and I disagree profoundly with giving a Civil Servant the power to deprive a person of the means of a livelihood — even if he is given the power to revoke a licence, that power which is further vested in him by Subsection (3) of the Section which we are now considering should be deleted. That is the Subsection which says that the decision of the Director to revoke a licence in accordance with the provisions of this Section shall be final and conclusive. That only leads to the conclusion that the Government do not realise how unpopular that provision must be, and they prefer to risk all unpopularity to accrue to the Civil Servant and not to the politician. The Civil Servant is independent of the fishermen, whereas the politician is not. The politician who represents a fishing village wants to keep at a distance from having anything to do with the exercise of this power.

If the Civil Servant is given the power to revoke a licence, there should be the right of appeal somewhere. You should give power on all-fours with that which is vested in Her Majesty's Privy Council; there is no getting behind what is the final decision there. Let us make this analogy; let us take the case of the Motor Vehicles and Road Traffic Act. The Commissioner of Police has power in connection with the issuing of licences. Section 31 (3) of the Act says this:—

"Any person who is dissatisfied with the decision of the Commissioner of Police under this section may

appeal to any of the Police Magistrates of District A whose decision shall be final..."

In other words, you are allowing an appeal; where you allow an appeal (*ASIDES*) Mr. Chairman, I am trying to hear myself above the more than *sotto voce* interruptions from the Government Benches. We should have the right of appeal either to a judicial officer or to the Governor-in-Executive Committee; but we are now vesting power in a mere Civil Servant leaving him to decide that a fisherman would not be permitted to pursue his calling because his licence has been revoked by the Director whose decision is irrevocable. This Section 3 to be re-numbered 9A. follows Section 9 of the 1952 Act. Let us consider the nature of the penalty in Section 9 (2) of the Act and that in this amending Bill, Section 9 (2) of the Act states:—

"Any person exercising the trade or calling of a fisherman without being the holder of an unexpired licence issued under the provisions of this section shall be guilty of an offence and on summary conviction by a Police Magistrate shall be liable to a penalty not exceeding five dollars."

I have refreshed your memory of this Section to show that it is proposed to follow Section 9 of the Act and the penalty provided in subsection (2) of Clause 9 is a penalty not exceeding \$5. When you come to subsection (3) of Clause 9A you have the power not only to revoke a licence for all times, but also that the decision of revocation be put beyond question and never be made an issue. I commend hon. members to support the amendment which was moved at the last meeting by the hon. senior member for Christ Church. In case we do not remember what the words proposed were, perhaps you would direct that that amendment be re-read or the hon. senior member for Christ Church would refresh our memory as to the correct phraseology of the amendment.

Mr. TALMA: Mr. Chairman, perhaps I had better at this stage give the substance of my amendment. It is really an amendment to Subclause (3) of 9A and it reads as follows:—

"The holder of the licence which has been revoked by the Director shall have the right of appeal to the Governor-in-Executive Committee."

That amendment was seconded. In other words, instead of leaving the Section as it is to say: "The decision of the Director to revoke a licence in accordance with the provisions of this Section shall be final and conclusive", I am suggesting an amendment whereby the decision would rest with the Governor-in-Executive Committee. I see no harm in vesting that power in the Governor-in-Executive Committee; it is better that the higher body be able to have the final and conclusive decision in a matter of this nature than have one Civil Servant to be embarrassed, in some cases, in having to administer the Act and he has such wide power. It is better in these days to vest that power in a body such as the Governor-in-Executive Committee. One individual is not infallible; I can see any amount of hardship being meted out to the average fisherman under this Section; the fishermen would hardly be heard at all. He would not be able to put his case properly; he may not be represented by any Solicitor and, in most cases, he would fail miserably; therefore if justice is to be meted out to the fishermen, let the final power be vested in the Executive Committee.

Mr. WALCOTT: Mr. Chairman, on the last occasion, I said jokingly to the Minister, but he could have taken it seriously that it would have been better for him to adjourn the House and go to Kensington and listen to Winifred Atwell than to proceed with this matter, because it would have done his mind some good, being in the musical atmosphere.

3.05 p.m.

I do not know if the hon. member is musically inclined, but he did not accept my suggestion, and I presume he is a man that likes hard work. I really wonder if the members of the Government think that this is more in the interest

of the community in having the Crown Law Officers prepare a Bill like this when they cannot get down to working on the Workmen's Compensation Act which they have been holding for four years, and which would give such direct benefits to people, as Severance Pay and Provident Fund for agricultural workers which comes within the province of the Minister's portfolio. You should get on with something which is of direct benefit to people.

Although I do not strike the differences which the hon. member has taken, on the face of it, it would look as though more members are necessarily more considerate than the Director. That is only a matter of opinion. The trouble about it is that you may say that a body of politicians is more inclined to see views of a political significance, but it does not matter what the consequences are. But the serious point about it, Mr. Chairman, is that I believe the Minister lives in a place where fishermen operate. Only a man maybe coming from the middle of the Sahara who does not know how fishermen operate (Hon. D. D. GARNER: What is wrong with that?) the Minister thinks something is wrong with the place; so let me say, only a man coming from the South Pole. What is wrong is what is wrong with his brains, if he has any to function in this capacity, because what is wrong is that men go fishing here in Barbados not on the basis that they are going out fishing in trawlers as in Iceland. Men go fishing in small open boats, and only an idiot for a Minister would come and tell you that in order for a man to carry any person out, he must have a licence or be penalised. The owner of a fishing boat may go to the beach, three of the men do not come out to fish at all because they might be sick or have influenza, so he takes two or three other people; but now you are saying that they must have licences or he cannot carry them. Only an idiot that does not understand fishing in Barbados would not know that, and that is why I say that you would have to be a monumental idiot not to realise that a man goes fishing and takes two boys, and you say that if he takes these boys they must have licences, and more so in these days when you have powered boats you are going to make a penalty of \$5 or \$50 for carrying such people out to sea without licences.

Mr. Chairman, I do not know where you are living but you have been fighting for these fishermen. Are you going to ask an agricultural worker because he gets a housing loan to get a licence as an agricultural worker? What is this nonsense that because you are in the fishing industry you are to be licensed? The Hon. Minister does not realise what is happening because he says it is not a fee; you do not have to pay but the man has to pay if he does not get the licence; he can be fined \$50. You are giving him a licence, so he is keeping a rum shop or he is trading!

Hon. D. D. GARNER: On a point of order, Mr. Chairman, the fisherman has not got to pay \$50 if he does not have a licence; only after his licence has been revoked and he does not give it up.

Mr. WALCOTT: Mr. Chairman, there is such a thing as "penal sanction", and this is a Bill with penal sanctions. That is the point I am making; but the Minister gets up to correct me by saying if his licence is revoked he will be charged; therefore he must have a licence. All I am saying then, Mr. Chairman, is that this is a waste of precious time in an island like this. The Minister is giving the plans which he has for fishing, but I would like to know the plans which he has for a milk and pasteurisation plant so that we can see Barbados in a different way from the last three hundred years, because Barbados looks the same way industrially as three hundred years ago; but before the Minister undertakes something where you can see the stamp of something new, he is going to persecute the fishermen now with something that you cannot enforce or administer.

Mr. Chairman, how are you going to administer this in Barbados where you have fishing fleets all over Half Moon Fort, Speightstown, Oistins, Bridgetown and even in St. George - because some gentleman said that he was going to build a tunnel to carry the sea into St. George? He was one of the Labour Party candidates; so you can see the type of mentality they can recruit. Nowadays fishermen

go out to sea earlier and they work a little later, but outside the fishing season fishermen are agricultural workers who cut canes. What is it you are worrying about in a place like Barbados where you have 25,000 people unemployed? You should get down to legislation to find permanent work for fishermen and have a cold storage for them because it is a vocation which is done on a seasonal basis. If you want to do anything, you should give them big trawlers so that they can stay out and do some deep sea fishing in order to make it a permanent profession and not a seasonal one. Is this a steamship now? Is a fisherman a big maritime sailor for you to say that he is going out to sea and so every seaman must be registered and receive papers because he is on an ocean-going fleet? The next thing you are going to do is to register a man because he is going into the sea to bathe because you are not sure he is not going to drown, and therefore every person who goes to the sea must have a licence to show that he is a fit person to bathe.

Mr. Chairman, I want to know if the hon. member is serious in thinking that anybody can administer this. (Hon. D. D. GARNER: I can.) The Hon. Minister says he can. You cannot even administer the Government. The Government does not know how much fish is being caught in this island because you do not have any facilities for checking. You do not know how many people sell at the various beaches. If it is a question of dealing with dynamite and something becoming dangerous, then you do not have to be a fisherman. 1.15 p.m.

It is just like hon. members in this Chamber. If every hon. member in this Chamber were to be prosecuted for buying sea-eggs outside of the sea-egg season, nearly everybody would be in jail. You do not begin to pass that sort of legislation when you do not begin to worry yourself about whether it is kept or not. You do not send the police hunting down people because they are catching sea-eggs out of the season because if you did so, you would have to send the whole Police Force out to hunt down the offenders.

Sir, I am really serious about this. Apart from the amendment which the hon. senior member for Christ Church is making to this Clause - it is better than what is here; it is agreeing with the substance of the Bill. I do not believe that in substance this Bill is worthwhile. We have not reached the stage in which men go fishing on such a basis that every fisherman has to be in possession of a licence. The fishing which is done here is done on an *ad hoc* basis. Some go fishing today and tomorrow they are rock blasters and the next day they are cane cutters.

This is important. It is a problem. If a boat owner or a man in charge of a boat goes down the beach any morning to go out fishing, he cannot pick anybody up to go out with him unless that person is in possession of a fishing licence. That is the problem. Every man who goes out fishing in a boat must have a licence. Now, what does this licence show? It does not show any particular evidence. What are you aiming at? It is not that you are training able-bodied seamen. I do not think that the Hon. Minister can suggest that because fishermen are given loans they must have a licence. Agricultural workers and other people are given loans for houses and I do not think that they get a licence to operate because of that. A carpenter or a mason does not have to get a licence to operate. What is the valid reason to say that a fisherman must have a licence to operate and if the owner of a boat allowed a fisherman to go in a boat to fish without a licence, he will be fined \$50? What about the carpenter who comes to build or repair your house and spoils it? You do not say that a carpenter must have a licence. Sometimes you get a carpenter and he tells you that you want 500 feet of lumber to repair your house and when he is finished you have 200 feet lying in the yard. I do not think a fisherman imposes any hardship on anybody. I do not think a fisherman inflicts anybody with his profession. All that he does is to catch fish, and if he can catch them in large quantities as the community would like, I do not see the point of compelling the fishermen of Barbados to have these licences. You say that if they do not have them, you are going to prosecute them and when they are prosecuted and convicted, it means a fine of \$50. What is behind it? What is going wrong that you want to check on someone?

Mr. Chairman, as I have said, the Government can well find a more profitable field of legislation to bring down, such as necessary amendments of the Workmen's Compensation Act, and some aspect of good social legislation which would redound to the credit of the community.

Mr. CORBIN: Sir, I would really like to know the necessity for a fisherman holding this licence. I would like to know from the Hon. Minister of Agriculture if a fisherman would be carrying this licence for his protection or if it is just to certify that he is a fisherman so that if he drifts out to sea and goes to a foreign country he would be able to produce it so that the authorities in that foreign country can find out whence he drifted. That is one of the things which I would like to know.

Another thing is this. Will fishermen have to pay for these licences? Fishermen in Barbados for these many years were fishing and bringing in their catches and the people of Barbados were enjoying their fish without any disturbance. There is a lot of people who sit down to eat fish and who enjoy them; but if they had to go out to sea to catch one they would not eat one. I do not know if the obtaining of this licence would daunt the spirit of the youngsters who are training now to become fishermen. I do not know if it would prevent them from going to sea to fish. I think that they should have a free latitude to go to sea and I do not see the necessity for a licence in this circumstance unless, as I have aforesaid, it is for a means of protection in case he goes adrift.

All that I can see these fishermen going to sea to fish for is gain. Do not matter who goes out to sea - he can be a boy, a man, a woman or a girl - all that he or she goes out to fish for is gain. If I go out to fish and I bring in some fish and I cannot eat all, then I have to sell some. I do not go out to sea to fish to say that I am a fisherman. Whenever I get in a boat to fish, I do so for gain.

Sir, I do not see the reason why fishermen should have to get this licence. I do not mind giving way to the Hon. Minister so that he can enlighten me for what purpose these fishermen will have to get a licence. I will give way to him just that he may answer that question. Personally, I cannot see the necessity for it. We have plenty of people in Barbados and we have to find ways and means to supply them with the necessary commodities which they need; and if a man has to go out to fish this morning and another fisherman who was to go out with him takes sick, surely, he should be able to take another man along with him whom he can trust to bring in food for us. At the present time he needs no licence, so we can be sure of getting fish at a particular time. I would really like to know the reason why fishermen must get a licence now, because I do not see the necessity for it. What I see as the outcome of it is that later on we will be having less fishermen than we have now. There are a lot of little boys whom I see going out to sea to learn to fish. They would have to be grounded on land. Perhaps, later on you will hear that there is a restriction on the age before you go out to be a fisherman. You will hear that you must be twenty-one years of age before you go out fishing. I want to know why a fisherman must get a licence now, and if they have to pay for it I would like to know the reason.

Mr. T. W. MILLER: Mr. Chairman, I am not clear on the whole issue and like the hon. senior member for St. Peter, I can say that I was practically raised up in a fishing centre, that is, the Reef. I as a young boy on many occasions found myself on the Reef to have a bath and because some of the fishermen who were to go out did not turn up the man in charge called on me and asked me if I would like to go out with him.

1.25 p.m.

As a young boy, I wanted to get that experience and I went. If you demand that whoever a fisherman takes into a boat must have a licence, you must create a hardship on fishermen. Let us take it that three fishermen have decided to meet somewhere at 4 o'clock in the morning to go out to fish; one turned up but the other two did not. What must happen? One fisherman can get two assistants to go out

with him but they cannot go because they have no licences. That is how I understand it. I would not like this debate to go through without adding my quota to it. I do not know what the experts have said about it; I believe that some hon. members say that a fisherman can take out one or two persons with him but those persons must not fish for gain. If you say that in the absence of a person with a licence you cannot take out any other person to fish with you, when the boat goes out into the ocean, what proof have you got that other people whom you take out have got licences? On the one hand you say that the person must have a licence and on the other hand you say that in the event of two fishermen not turning up and two people are willing helpers who are willing to go out to sea, they can go but they cannot fish for gain. I would like the Minister to explain that position. Where two parties who have no licence go out with the licenced fisherman, what proof have you got that they are not fishing? It does not make any sense to call for a licence and all of this paraphernalia.

Hon. D. D. GARNER: There are always two sides to a question; I have heard one from the Opposition and from a backbencher and I will now say this. On the last occasion I was at pains to point out certain things and I shall take some pains again to point out certain things because some people do not seem to understand what are the implications in this matter. In reply to the suggested amendment of the hon. senior member for Christ Church - I am not going to throw any mud or call anybody an idiot or anything like that, because it takes a big idiot to know who is another idiot. (Mr. WALCOTT: Therefore it takes a crook to know a crook.) (Laughter) I am going to say this in reply to the hon. member, the hon. senior member for Christ Church; he was a Minister and he knows about this book. It is entitled "General Direction and Procedure on the Cabinet System". I think the hon. member has one of these.

Mr. TALMA: On a point of order. When I was a Minister the Cabinet System had not been introduced.

Hon. D. D. GARNER: That is right; I did not remember that. That being so, the hon. member is not fully informed. This information which I shall read to him will, I think - in fact, I know - answer his question. I quote: "Relations between Minister and Heads of Departments." "The Head of a Department will be responsible to the Minister for the administration of his Department, and will act as adviser to the Minister on professional or technical matters falling within the scope of his Department. It will be the duty of the Head of the Department to keep the Minister fully informed either directly or through the Permanent Secretary, of all the important activities of the Department, and to execute such decisions of policy as come within the scope of the Department. But the Head of the Department will not take any action involving change of policy without reference to the Minister."

I hope that that will satisfy the hon. member to a certain point. That is not all, Mr. Chairman; I think the hon. junior member for St. Lucy was given latitude to quote from Sir Ivor Jennings, who is a constitutional lawyer, and I think he is an authority on the subject. With your permission, I will also quote from him. He says:-

"Within the Department there must be substantial delegation of power but the most essential characteristic of the Civil Service is the responsibility of the Minister for every act done in his department. In practice, the Minister can hardly avoid saying that the mistake was that of a subordinate, but Parliament censures the Minister and not the subordinate." (Cheers).

These are the facts as regards the Constitution. Whenever you see the words "Director of Agriculture" appearing in legislation today, it is because the Constitution has not been fully amended to suit various changes. But we are working under the conventions. Under the conventions there is not one thing which the Director of Agriculture can do unless he acquaints me about the policy. I have made administrative decisions too; I am responsible in the last analysis and therefore the Director of Agriculture cannot undertake anything in that Depart-

ment unless he discusses it with me in the first place. (Mr. WALCOTT: He can.) If he does it, he will be dismissed and no qualm will lie on my shoulders. If he does that, he will be acting *ultra vires*.

Mr. TALMA: On a point of order. Let us assume that the Department has caused a lot of corn to be planted and that corn has been sold; will the Minister know about the sale of the corn?

Hon. D. D. GARNER: That is not a point of order. That is an interruption. However, I will answer the question and I hope he will like the answer that I give. When I first went into the Ministry I told them not to buy any corn; in fact, I issued a directive to plant corn but not for the Government to buy. We do not buy any more corn. I know that the hon. member has a reason for asking that question. 1.35 p.m.

This is not a joke as some people think it is, Mr. Chairman. May I remind this House of some questions which were asked, I believe, by the hon. senior member for St. Lucy last year, which he brought back in January this year? One of the questions reads as follows:-

"What steps if any has Government taken, since the introduction of powered fishing, to have fishermen instructed:

- (a) In the techniques of Tropical fishing.
- (b) In the seamanship necessary to offshore fishing including the rules of the road, aids to navigation, and,
- (c) In the care and maintenance of boats, apart from the care of the engines?"

That in itself would answer this question. Here we are getting questions from the members of the Opposition - pertinent questions - on the fishing industry. One member just said it is *ad hoc* fishing. We know it is, but we are trying to organise it and give it some sort of shape and method. We do not honestly know how many fishermen there are in Barbados, and if the hon. member had asked that question, I would not have been able to answer it even to this day. Do you think that after we have spent or loaned \$1/4 million or over in the fishing industry we should not know how many fishermen are in Barbados? (Mr. WALCOTT: Yes, you should know.) (Mr. DOWDING: But not with a penalty.)

Mr. Chairman, I am saying that we do not know how many fishermen there are in Barbados. Everybody knows that if you make a Law and there is no Penalty Clause, you cannot carry it out. I do not care what sort of survey you want to make, and you do not make a Penalty Clause, you cannot compel them to come forward and give the information. You are legislators; so do not make yourselves ridiculous to the people who are going to hear and read this. Hon. members know that more often than not penalties are hoodwinked by the Magistrate, and more often than not the law is more observed in the breach, because Barbadians are people with commonsense and do not make any noise.

Mr. Chairman, I want to assure this Honourable Committee as I told the House on the last occasion that we are entering a new phase in the fishing industry, and we have got to a position where if we do not move forward it will stagnate. We want to train fishermen in the care of their engines which is a very serious business. You cannot expect a man to come from agriculture and run an engine because he can put in a little oil, and move a boat. We cannot afford that. You will not know as I do the severe losses which are experienced in the fishing industry because of the lack of knowledge and training. We can only get these people if we bring them in and make it a "must"; it must be a "must" for their betterment, because we are saving people from themselves as well as saving the fishing industry which is vital to this island. Perhaps, Mr. Chairman, if I were in the Opposition, in order to get a little kudos and sympathy from the people, that is the line I would take too; but I happen not to be in the Opposition, but I am

charged with the responsibility of bringing the industry out of chaos, and whatever means there are of doing it I would have to go that road, whether my brother, sister or aunt is a fisherman.

Mr. TALMA: Mr. Chairman, the Minister of Agriculture said that he met the fishing industry in a state of chaos. Let me ask him how many powered boats he has launched in the last three years. I would like the Minister now he is making his speech to give that information.

Mr. CHAIRMAN: I think that is more a general reference.

Mr. WALCOTT: But the members of the Opposition have been elected. Do you think we were pushed in here?

Hon. D. D. GARNER: Mr. Chairman, I made a statement and I repeat there are certain things which we do not know about the fishing industry, and we can only imagine them. There are certain things which the fishermen themselves do not know, and I am saying that while I am Minister for Fisheries that state of affairs will not be allowed to continue, and these are some of the means by which we will set to work to help the fishermen. The fishermen who follow fishing as a trade will be invited to get a licence; our men will go to the beaches and register them and it will not cost them one cent. If a fellow is an apprentice and takes out a licence, he can be hired by the owner of a boat; but if the employer does not see fit to comply with these regulations, he would be warned by the Fisheries Officer or Inspector.

We are trying to get certain information and expect them to co-operate with us; it is co-operation we need and we cannot spoil people when we are trying to help them. You have to reorganise people and in any reorganisation somebody must get hurt. (Mr. WALCOTT: Why?) Somebody must be inconvenienced and nature has done it that way. However you look at it, in any change that comes about somebody must be hurt. (Mr. WALCOTT: You did not get hurt to be a Minister.)

There is another question which was posed by the hon. senior member for St. Lucy, and I am going to read it:-

"Will the Minister state whether Government has ever taken steps to discover what are the average earnings of a normal fishing boat per season, as well as the average cost of maintenance and upkeep?"

Will the Minister further state whether the average boat is in a position to pay its annual instalment and insurance, and still be maintained in a seaworthy and economic condition in hull, machinery and gear?"

(Mr. WALCOTT: I can answer that; no.) All these things are facts which the people in this island want to know, because I take it that if the hon. member asks a question like that, he might have been prompted by somebody to ask it. We cannot get the necessary information unless we have these people organised. Who is a fisherman today from whom I can inquire into his average earnings? If we get a register with their names showing that Mr. So-and-so from St. Lucy or Mr. So-and-so from St. Philip is a fisherman, we would be able to get that information; but at the present moment there is nobody from whom you can get that information. We are trying to organise the fishing industry and this is what the Bill is for; this is not child's play. I want to tell hon. members that in a few weeks' time they will be asked to vote almost \$1 million to re-organise this industry, and put up a cold storage for the keeping of fish. (Mr. WALCOTT: That is ancient history.) But it is a positive fact. We do not know who is a fisherman in Barbados because we have no register as such. (Mr. WALCOTT: A rock-blaster.) That is another serious thing which the hon. member has said. This law is to get behind a lot of people who do nothing but blast fish, (Mr. WALCOTT: Some people dynamite houses too.) and we are not going to countenance that in this island any longer. 1.45 p.m.

I do not care which hon. member over there would like it; I do not care who wants it; I am saying that Government's policy as set out here is to stop the dynamiting of fish and this has something to do with it. All of that is wrapped up in this Bill. I thought the hon. member who is heckling me was a member of the Fisheries Advisory Council. (A VOICE: Whom do you mean?) The hon. senior member for St. Peter.

Mr. WALCOTT: Mr. Chairman, I rise on a point of order. The Hon. Minister says that I am heckling him. I agree with him in what he says. The innuendo which I would like to make is that St. Philip is one of the worst places in which you get dynamiting of fish.

Hon. D. D. GARNER: Well, then, you are bound to admire me for my courage if my constituents have put me in here and I am out to stamp out the dynamiting of fish. I do not care if they will vote for me by my doing this, I feel I am doing my country a duty and I am fearless enough to tell anybody that I consider the dynamiting of fish a crime.

Mr. WALCOTT: This has nothing to do with the dynamiting of fish.

Hon. D. D. GARNER: Oh yes.

Mr. WALCOTT: That is contained in another Bill with which we have to deal.

Hon. D. D. GARNER: It is all wrapped up in here. It is all interwoven in this Bill. Apparently, the hon. member did not read this Bill. This is not children's play. Wherever you see me, you see serious business. Apparently, the hon. member did not read the Objects and Reasons of it. Here is what the Objects and Reasons state:-

"The object of this Bill is to amend the Fishing Industry Act, 1952, mainly in three respects. In the first place it makes it an offence for a person in charge of a fishing boat to permit any other person not being the holder of a valid licence to go to sea in such boat for the purpose of fishing for gain."

Underline those words "fishing for gain". It then goes on:

"Secondly it provides for the revocation of the licence of a fisherman convicted of an offence relating to the destruction of fish by explosives."

Do you think I am wasting my time up there? It goes on further:

"Thirdly, it provides for the suspension of a licence to be noted on the licence and in the Register of Licences."

Sir, I do not think I should say anything more. I think I have said all that is necessary. It is necessary for us to have this legislation. I would tell you that it took some courage for me to bring it here. I have been told that from time immemorial fishermen dynamite fish. It is something wrong. Of course, it is not the old fishermen who dynamite fish. They say that they want to catch a boat load of them. It is something which is done by young fishermen or people who are not fishermen at all. Some of the people who dynamite fish are not fishermen.

Sir, I do not think I need to kill this thing with a hammer. As regards the amendment made by the hon. senior member for St. Lucy that we reduce the \$50 fine to \$10, I wish to say that it does not say that it should be a minimum fine of \$50; it says not exceeding \$50. The Magistrate is there to use his discretion as he thinks and as he does with other legislation. I was reading some legislation on Sunday, and I saw that if a candidate for election refuses to send in his campaign expenses he is liable to a fine and that fine is a heavy one. The law requires these things and all of these things must have a penal clause. No law is law unless it carries a penalty. You ask: "Why is that penalty so high?" It says here - I am reading from Clause 4 paragraph 5 -

"When a magistrate suspends a licence in accordance with provisions of this section, the suspension shall have effect from such date as the magistrate may order, and thereupon the holder of the licence shall within such time as the magistrate may direct, give up the licence to the Clerk of the magistrate's court, who shall endorse upon the licence the particulars of such suspension."

Then paragraph 6 states:

"Any person refusing or neglecting to give up his licence in accordance with the provisions of subsection (5) of this section, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars."

That is to do with explosives. You can see that this section happens to be for the blasting lot - those people who do not want to co-operate and who want to do as they like.

I repeat, that this is for the benefit for the fishing industry and I hope that it will prove such a benefit to the economy of the colony within a couple of years hence that hon. members would do everything in their power to induce people to do what we ask to be done.

I shall inform this House sometime this afternoon that we have a fish specialist from the Federal Government coming here to give us certain information. He will be accompanied by others who are coming later on. We, as I have said before, are working very hard on the next stage of the fishing industry. We are working in close co-operation with the Bellairs Institute and we are getting advice from time to time from high places. We want Barbados put on the map so far as the fishing industry is concerned.

Fishermen have to be trained not only to go to sea and row a boat but in many other respects. The Japanese train their fishermen in many ways; one is in the use of certain fishing gears. All of these things are to be done in Barbados. How can you do such things if you do not know where the fishermen are? I would like to have a talk with some of the fishermen when those people come here. How are we going to know where they live and who they are? If you have a course for diesel training, how are you going to know where these people reside so that you can ask them to attend the course? Can you not see the reasonableness in this argument? We want to help these people and if hon. members had listened to my speech last Thursday night they would not have gone on speaking so long on this. Apparently, their mood was not so good that night and, apparently, they have come back today in the same mood. I repeat that this is in the interest of fishermen. Furthermore, let me say that these fishermen have to be trained because all of their boats are insured, and if they are not trained and they go out to sea and break up their engines in their boats and the boats are not a total loss, they will not get one cent for that from the insurance agents. This is the first step towards that end. This is good legislation. It is a timely amendment and we cannot go forward unless we have such an amendment on the Statute Book to make people know that they have certain responsibilities in a civilised community.

Sir, I hope that hon. members are satisfied.

Mr. MOTTLEY: Mr. Chairman, legislation like this would serve a very useful purpose if it is not abused. I pause to launch into the Objects and Reasons of this Bill. 1.55 p.m.

I should just like to say this; I want to register my protest once and for all as to this question of taking persons out to sea. I believe that there should be some legislation, if the Government is spending money on an industry, by which they should have a check and keep statistics and so on; but too far east is west. As to the Section dealing with fishermen taking people out to sea - you gave the hon. member some latitude to deal with the Objects and Reasons of the Bill and I hope that some latitude will also be given to me. I am supporting the principle of the Bill but certain sections I must attack. Suppose, for instance, a clerk loses

his job, his family is catching hell and on a day he goes out to sea in a boat with a friend and catches a puppy shark or something like that! I am not allowing legislation like this to be passed without expressing my view on it. I can call the names of people who are out of work and the only means by which they can get something is when they go out in a boat with their friends. I pass on without taking any more advantage of the Chair.

I agree that if you are spending money in an industry, you should have corresponding legislation to deal with it; but do not let anybody push anything about. I want to draw this to the attention of the Minister. If you are controlling little things by legislation, when you come to big things, you must control them too. Section 3 (9A) (3) of this Bill states this:-

"The decision of the Director to revoke a licence in accordance with the provisions of this section shall be final and conclusive."

While you say that the decision of the Director of Agriculture is to be final in small things, if you are dealing with big things his decision must not be final.

At this stage, it being 2 p.m. of the clock, Mr. SPEAKER took the Chair.

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

On re-assembling,

Hon. R. G. MAPP: Mr. Speaker, there is no quorum present and I ask that the bell be rung.

On the bell being rung a quorum was obtained.

QUESTION TIME

Mr. SPEAKER: It is now Question Time. Question No. 35 standing in the name of the hon. junior member for St. John is ready to be dealt with.

CONSTRUCTION OF THE EAST COAST ROAD

Mr. BARROW: To enquire of the Minister of Communications, Works and Housing:-

When will plans for the construction of the East Coast Road be laid before the House?

2. Does the Government intend to impose a development charge or improvement tax on land adjacent to, and in the vicinity of the said road if and when the said road is built?

Hon. R. G. MAPP: Mr. Speaker, the replies are as follows:-

The construction of the East Coast Road is being considered in connection with the Development Plan 1960-65.

In view of the above, the question does not now arise.

Mr. BARROW: Supplementary to the two questions which I have put, I understand from the Minister that plans are being considered in what he chooses to call the Development Plan 1960-65. I would still like to know if the Minister can give us any indication as to whether these plans for the construction of the East Coast Road will be laid before the House. It appears to me that the question of development charges or improvement taxes is one of general principle, and I would like to know at this stage whether the Minister will say whether it is the policy of the Government that there should be such a charge.

Hon. R. G. MAPP: The hon. member has asked two questions. The first is: when will the plans be forthcoming for the East Coast Road. If there are plans for the East Coast Road as indicated in my reply, those plans will be laid simultaneously with the Development Plan 1960-65. As I said, the construction of the road is being considered

in connection with that Plan; it therefore follows that if the East Coast Road is to be constructed, the proposal for the construction of this road will be forwarded to this House in connection with the Development Plan. I believe the answer to the second question lies in reference to the Bill which was recently tabled by the Hon. Premier.

WINDING UP OF THE TRANSPORT BOARD

MR. SPEAKER: Question No. 14 standing in the name of the hon. senior member for St. Lucy is also ready to be dealt with.

Mr. TUDOR: To enquire of the Minister of Communications Works and Housing:

Will the Minister state whether it is Government's intention to wind up the Transport Board?

2. If the answer is in the affirmative, would he state whether Government proposes to invite the former concessionaires to resume their concessions?
2.35 p.m.

Hon. R. G. MAPP: Mr. Speaker, the Reply is as follows:-

"A Statement of Government policy on the future of the Transport Services was laid in the House on 16th June, 1960."

PRIVATE MEMBERS' BUSINESS

RESOLUTION re LACK OF CONFIDENCE IN THE

MINISTRY OF COMMUNICATIONS

Mr. SPEAKER: Order No. 1 under Private Members' Business stands in the name of the Hon. Leader of the Opposition: to resume debate on the Resolution re Lack of Confidence in the Ministry of Communications.

On the last occasion, when this House was debating this motion, the hon. junior member for St. John was addressing the House.

Mr. BARROW: Mr. Speaker, I would now pass on to another phase in the debate on this motion of "no confidence" in the Ministry of Communications and Works. On 16th June, 1960, the Minister produced a Statement which was headed "Statement of Government policy on the future of the Transport Service of the island." The reason why I say I will pass on to another phase of the debate is that hitherto my remarks had been confined to the mismanagement and ineptitude of the Minister himself. I have outlined the history, conception and idea of Government's control of a part of the transportation system of the island; I have dealt with the subsequent developments and the rejection prior to the acquisition of buses by the Government of the Report of the Commission specially set up to enquire into the bus fare structure, to make recommendations, the handing back for no explainable reason of some of the units to their former owners, and in some events the handing over of units to persons who had had no experience in the running of such a service prior to the dispensation accorded them by the Government, and I had gone on to deal with the general situation which now confronts the travelling public of this island as a result of the incapability of the Minister of Communications and Works.

Now on 16th June, Mr. Speaker, this Statement was produced as a Statement of the Government's policy, and it would be interesting if I could deal with the different propositions, if I can glorify them by that name, *seriatim*, although they have been exhaustively treated by the Hon. Leader of the Opposition in moving the motion of "no confidence" himself. This Statement is full of equivocation - which is to be expected - platitudes and ill-considered suggestions. The Statement starts out by stating that "the road and transport facilities of the Island are a public service and a Government responsibility, and it is the Government's duty to see that both are planned in the best interests of the Island's economy and of the community. To serve the public must be the first consideration."

Mr. Speaker, if I deal in detail with this opening paragraph, and deal with it as fully as it should be dealt with,

there would be no opportunity for other members of the House to express their opinions on the present situation which confronts us all. When I said that the Statement was full of platitudes and inaccuracies, the opening paragraph itself is an epitome of the general ineptitude displayed by the Minister and the Government on its transport policy. To say that the road and transport facilities of the Island are a public service, to say that they are a public utility is merely stating something which must be obvious to all those who are not blind or short-sighted; but when they go on to say it is Government's duty to see that both are planned in the best interests of the Island's economy and of the community and to serve the public must be the first consideration, this must be some new doctrine which has been imported by them in their management of the Transport Board, because up to the present moment - and it is now nearly two months since this Statement has been laid on the Table of this House - no Barbadian or no casual visitor from abroad looking at the set-up of the Transport Board or the Transport Services generally speaking, can be so rash as to say that the Transport Board is being managed in the best interest of the Island's economy or of the community.

Now the interest of the Island's economy and the interest of the community in my respectful submission must necessarily coincide with the co-terminus at all points of the compass. To say that an undertaking which has squandered over \$2 million of the taxpayers' money is being run in the best interest of the Island's economy is an expression of imbecility which could only emanate from the Government benches. But let us assume for one moment that the Island's economy and the public's interest were two separate and distinct and competing factors; no one could suggest that the money which has been squandered has been squandered in such a way that the public have benefited by improvement, more efficiency, more courtesy and cheaper transport services; so on the one hand you can say, Mr. Speaker, that in any public enterprise or undertaking in any industry which is controlled by Government, the profit motive is not the paramount consideration. On that we are all agreed; but to suggest that because you are running a transportation system or any other form of enterprise in the economic life of this Island, short of giving away powdered milk to expectant mothers - which is not enterprise or enterprising, but merely a form of social services - although the profit motive might not be a paramount consideration, and although the Government can expend money in unremunerative directions for which the Board of Directors of a Public Limited Liability Company would run the risk of being supplanted and replaced if they ventured into such a form of activity, does it mean that the Public Treasury is some kind of milch cow which can be drained in order that a gigantic system of outdoor relief can be provided for the friends and relatives of the Ministers, and that the most elaborate form of nepotism and patronage should be exercised even in the driving of buses and the collecting of bus fares, and in the secretarial and administrative work pertaining to the running of the Transport Service?

2.45 p.m.

It does not mean that the private owner is in a paramount situation, that people who do not ride in buses or the buses operated by the Transport Board do not have to subsidise that service through the ineptitude of the Minister of Communications, through his lack of ability and incompetence, as well as the people who are unfortunate enough to live on routes which are serviced and under the beneficent patronage of the Transport Board. It does not mean that at all. It means as far as a Socialist Government is concerned, that such a Government will often venture into avenues of social and economic activities where there is not sufficient incentive, where there is not sufficient justification to large profits for the private entrepreneur to venture his risk capital. A Government will very often prime the economic pump by undertaking things which private enterprise is reluctant to do; but where private enterprise is operating, there is no need for Government to step in.

I make no apologies whatsoever for repeating this. Barbados is described as one of Her Majesty's sugar plantations with a town which has sugar cane growing in

the suburbs. I have afore said that what it takes five or six Ministers and five hundred Civil Servants to do in this colony is not the case in other countries, certainly not in Argentina, Venezuela - where there are owners of ranches with more than a million acres - as well as in North America, Australia and New Zealand and other parts of the world, where the administrative work of running the land and all the other functions pertaining to it are carried out probably with one Accountant, one Manager and a handful of men riding on the ranch. Napoleon was born in Corsica; it is not a reflection on the ability of anyone of us to be born in Barbados; but we must face up to the problems; we must have a proper idea of our importance or unimportance. Barbados is only a sugar plantation. You have people in Barbados with only two or three acres of land who feel that they are plantation owners; but you have people in Africa who have three hundred or four hundred acres who believe that they are only peasants. It does not take a genius to run an island 21' x 14', but it takes a genius like the Minister of Communications to get rid of \$2 million in the course of a few years. He has an inexhaustible potential for wrong doing.

The hon. member for St. Joseph has treated this matter in a very light manner.

Mr. SMITH: I rise on a point of order. The hon. member said the hon. member for St. Joseph. He should say which of them.

Mr. BARROW: I mean the junior member. I have had during the course of this debate to remark that if the hon. senior member for St. Joseph had been asked to give his suggestions on the running of the Transport Board, the Minister of Communications would not have found himself in the predicament in which he has now found himself and has driven the rest of the island along with him.

We have to look at these problems with this in mind all the time. This is a small plantation in the economic *weltanschauung* of the Western Hemisphere. Barbados is a small plantation which will be lost in any of the states of the U.S.A. or in the palms of the Brazils or in the prairie lands of Paraguay or Uruguay. It will be lost in the islands to the south of the neighbouring colony of British Guiana. Barbadians must keep this firmly in their minds and in their approach towards the economic problems, and it would be well not to be misled by those who have axes to grind, those who have commissions to earn or those who have machinery to sell, or those who think that we have the large public expenditures of more prosperous colonies like Trinidad and Jamaica in matters of public works.

You will note this. It is true that as soon as we have a political federation, we have a conglomeration of people of different ideologies lying down side by side on the same political couch waiting to be psycho-analysed. It is a matter of fact that the Government Party of Trinidad is a member of the same Party in the Federation as the Government Party of Barbados and the same as the Government Party in St. Kitts and Jamaica. However, if there is any ideological cement, if I may use that term, binding these heterogeneous groups together, it surely must be principles of British 19th-century Socialism.

I find it strange that at the same time that the Barbados Government takes over a part of the transport system of the island, the Trinidad Government should be handing back part of the transport system to private enterprise. No one on this island would ever accuse me of being a protagonist of private enterprise; but my economic and my practical experience transcends any ideological ways that I read about. The binding principle of any Government, therefore, as far as I am concerned, should be what is in the best interest of the people of the island.

They have not nationalised the public transport system in this island. They have a kind of half-way house which is an indication of the mental confusion which exists in the Ministerial ranks. Some buses operate without any drain by private entrepreneurs, and the rest which are under the direction and control of the Minister of Communications

via the Transport Board operate to the detriment of all classes in the community. Is the *rationale* of their taking over of these buses and their continuation to run them in this very uneconomic and inefficient way that that is the way in which groups in the private service should run theirs; that is to say if we run them at a loss because we feel, let us say, the people at Rock Hall, St. Thomas, are entitled to come into town on Saturdays just as people in Four Roads, and, therefore, although we know it could not possibly be as a social necessity, we are going to operate these systems?

2.55 p.m.

They allowed the hon. senior member for the City - whom I cannot describe as a captain of industry but he is certainly one of the principal agents of private enterprise in this island - to urge them to nationalise and to take over the whole transportation system; he, the protagonist of private enterprise, the virtual leader of the Conservative element in this Chamber, urges them to take over these buses and run them. I can only say that he was planning the political extinction of the Government Party when he urged them to do this. It is a very strange circumstance that the Conservative element in this House should urge the Government to take over the one industry which was built up, established, controlled and run efficiently, even if it were run at a loss, by coloured men in this community. It is the only industry in the whole community to which you could point and say: "This is what the Barbadian can do when he is given a chance on his initiative." Can't the Minister see that either the hon. member was motivated by considerations which he did not care to disclose on the floor of this House, or that he was planning the political extinction of the Minister himself? Unless the Minister is going to commit hari-kari or some form of political suicide, it is time that he reconsider the whole situation. I do not consider that these buses are run by the Government economically, but the Minister has had four years - he and his predecessors - and they have not succeeded in doing anything like making the Transport Board an economic undertaking; therefore, we ask them to call on the senior member of all that is good and gracious, the senior member for St. George, to come to their assistance by farming them out or doing something to stop this relentless drain on the dwindling resources of the Public Treasury of this island. It is clear that as long as the Minister or any of his colleagues continues to have anything to do with the transportation system, he could not make it pay. This half-way house is of no benefit to anybody at all.

Hon. R. G. MAPP: On a point of order. I do not want to interrupt the hon. member, but I wonder if I heard him correctly. Did he say something about turning the buses back over to private enterprise?

Mr. CRAWFORD: He never said that.

Mr. BARROW: That is not a point of order.

Hon. R. G. MAPP: I am on a point of order. I was interrupted by the hon. senior member for St. Philip. The hon. junior member for St. John talked about farming the buses out to private enterprise; did I understand that private enterprise ran them at a loss when they ran them? I want to get that clear.

Mr. CRAWFORD: On a point of order. The hon. junior member for St. John

Hon. R. G. MAPP: The hon. junior member for St. John can speak for himself; I am not referring to the hon. senior member for St. Philip.

Mr. CRAWFORD: On a point of order. The hon. member is only putting words in the mouth of the hon. junior member for St. John.

Mr. BARROW: I will answer the hon. member; let the Reporter read back what I said. If I felt that private enterprise

Mr. SPEAKER: The hon. member wants to get the impression straight.

Mr. BARROW: Is the hon. member entitled to get up on a point of order and say he wants to get this straight?

Mr. SPEAKER: The hon. member wants to know if he has a clear impression and he is asking the speaker to tell him if he has certain things straight.

Mr. BARROW: Are you allowing him to do that?

Mr. SPEAKER: The hon. member rose on a point of order because he wanted to get the right impression of what the hon. junior member for St. John had said.

Mr. BARROW: Can I ask Your Honour a question?

Mr. SPEAKER: No; I am not in the debate.

Mr. BARROW: You cannot force me to answer that.

Mr. SPEAKER: No.

Mr. BARROW: I said that they should farm out these buses or do anything to stop the drain on the dwindling resources of this colony. That is what I said. Your Honour is in the debate because all the remarks made in this House are addressed to Mr. Speaker.

Mr. SPEAKER: Will the hon. member take his seat? I am never in the debate. The hon. member will keep quiet or I will take action against him for being unruly in a debate. I am never and will never be in the debate; my position is to preside in this Chamber and see that order is maintained. I am not even to be dragged into the debate by insinuation or by temptation. I want the hon. member to get that clear; I want him to desist from the slightest reference to my being in the debate. And the hon. member is not being decorous if he makes any more insinuations of that kind in this debate.

Mr. BARROW: No one said that you had entered the debate. You are in every debate because all the remarks are addressed to you as Speaker. I do not address remarks to the hon. member.

3.05 p.m.

I have never addressed remarks to the hon. member and I do not intend to pay any attention to him at all; but I would only like to say that it is competent for members of this side of the House to know, at any time that a member on the opposite side is speaking and we want to find out if our impression is correct, whether Your Honour will entertain that as a point of order as you have done today.

Mr. SPEAKER: I have done that many, many times in the past, whether or not the hon. member is aware of it.

Mr. BARROW: Once I have Your Honour's assurance, I will continue. There are some members of this House who appear to be afraid of an issue like the transport issue because there is so much confused thinking about this matter. They are afraid to be accused of being against nationalisation. I have already said that the Transport Board is not nationalised, the bus service in this island is not nationalised; and though the Transport Board might be a Statutory Body, the transport system is not nationalised, and there is not a single national undertaking in this island outside of the Waterworks. There is no Public Utilities system outside of the Waterworks, and I deliberately refrained from mentioning the Gas industry because you have competing alongside of Government all different types of liquid fuel and gas which are completely without Government's restriction or control.

Now I am not going to be frightened by the hon. member. The hon. member reminds me, every time he gets up, of the villain of some Japanese film about to commit hari-kari - I mean the hon. senior member for St. Thomas. As one member has said, he is beating around the "bushito" all the time. I am not afraid to say that if the only way to stop the taxpayers in this island being overburdened by the incompetence of the Minister and his colleagues is to farm out the buses to anybody inside or outside of Bar-

bados who will not call upon the Treasury for a subsidy, go ahead and do it because we have budgeted for a deficit this year and we cannot afford to pay any more taxes than what we are paying now.

I particularly said, Mr. Speaker, that only a Government which understands the issues of nationalisation, a Government that is competent to deal with the transport system, to take it firmly in its hands and in both hands, can afford the luxury of the hon. senior member for St. Thomas. He is a luxury which this House cannot afford. In spite of the \$25 million taxes we get into the Treasury, we cannot afford the luxury of the hon. senior member for St. Thomas who is the Minister for Communications. Now the hon. member can beat his drum from now until the cows come home, inside and outside the *Beacon News*-paper, and in and outside his constituency in St. Thomas, but do not let him come to St. John. I want to tell the hon. member that I understand the principles of nationalisation and I am still to see it carried out in Barbados. I see a lot of currying favouring, nepotism, patronage and uneconomic activity being indulged in by the Minister and his friends at the Transport Board. We have had some of the biggest failures in Barbados put in charge of the Transport Board. I am not talking about the Minister alone; I am talking about his other cohorts, his friends and colleagues - some of the most spectacular. One Chairman was a bankrupt undertaker, so you will know the quality of his direction; when an undertaker goes out of business you know how competent he is - and he was Chairman of the Transport Board! He was a bankrupt undertaker with more people dying every day like flies under this Government, but he was Chairman of the Transport Board just because he is an ardent follower of the Government Party.

Now, Mr. Speaker, we have a member of the Other Place whose success in business - I do not intend it as a personal criticism but there are a lot of people afraid to say things in Barbados - depends upon direct Government patronage. I am saying that and I do not want to go into details because I would have to say a lot of things today, but every self-respecting member of this community knows that all of his liquidity depends on direct Government patronage, and he is Chairman of the Transport Board. We had a gentleman come down here from England; he is not here to defend himself and I think I had better pass him by, because he has gone back over to the other side. We have a new gentleman from England via Trinidad; the Minister said it is a lie that the Port-of-Spain services are losing money. If they have begun to make money, I am sure the people of Port-of-Spain would like to know something about that. We had a gentleman by the name of Mr. Patience from the Licensing Authority, a gentleman who was Lieutenant Commander in the Navy that did not have any ships at Benbow in Trinidad, and from being Lieutenant Commander of a fleet that never left the earth, he became a Licensing Authority of the transportation system that never ran efficiently or at all, and he was brought in to advise the Government.

It is a matter of public and general knowledge that on some of the Units to which I am referring specifically now - the Mercedes Benz buses - the commissions were paid, and the Government was advised not to buy Mercedes Benz buses before they bought them, but they went on and bought them. A few months ago a Statement was made on the floor of the House that the Transport Board had imported buses during the course of a debate; I think the question was asked about 42 new buses to the exact number, and that same member for St. Thomas got up here in my presence and emphatically denied that either the Transport Board or Government or anybody had even looked around the Leyland Bus Company or made any contract or any offer or any invitation to the manufacturing company to supply us with 42 new units.

Hon. R. G. MAPP: Mr. Speaker, on a point of order, the hon. member has referred directly in this instance to me. I made one simple statement which I repeated often in this House. I never said that the Transport Board or the Government did not make inquiries or anything like that; I simply said that no order had been placed and I still say it.

Mr. BARROW: No order had been placed. He moves from the Active into the Passive, and I wish he would move from active politics to passive politics in the same voice. I said that the Transport Board had ordered the buses, and it is rather remarkable that this Government has been singled out for a special dispensation in England who are two and a half years behind in most of their orders, and within ten weeks of making that statement we could have 42 units landed here although no order had been placed. I always say that miracles never cease to happen, but it is for the public to judge whether the Minister is equivocating, whether he is misleading or speaking the truth. It is only his constituents and the public who will be able to judge that.

3.15 p.m.

Now, the hon. senior member for St. Lucy had tabled questions asking whether Government intended to continue to operate the service. Both the hon. junior member for St. Joseph and the Hon. Minister of Communications are quick to jump up to anyone who suggests that it does not redound to the benefit of the taxpayers that we should continue to pour money down the drain. My principle on nationalisation is all or none at all. I do not believe in any half way house. It has always been not only my individual feeling on matters of this kind, but the doctrine and the outlook of my Party - that is, all or none at all. The two hon. members aforementioned are in the habit of running down anyone who would suggest that the Government should not continue to waste public monies in this way.

In Paragraph 2 of the Statement made on the 16th June, by the Hon. Minister of Communications on behalf of the Government of Barbados, he said that the "continuation of the present transport service or its expansion into an integrated all-island service depends in large part on (I) adequate management, (II) the possibility of raising finance, (III) good management-employee relationships, and (IV) the cooperation of the workers and the public. The necessary steps are being taken to achieve these objectives and thereby increase the efficiency of the Board. These will be vigorously pursued."

What does that Statement say? It says absolutely nothing. They say that the continuation of the present Transport Board Service or its expansion into an integrated all-island service depends in large part on these four things and they are pursuing them vigorously. The former hon. senior member for St. Joseph was once described to me by someone as a well-known politician and as being one of the leading statesmen in the Caribbean. I asked him why, and he said that that member adopts an interminable policy and he pursues it interminably. I think I can apply that very same saying to the Hon. Minister of Communications because he is adopting an interminable policy and pursuing it however vigorously, interminably, world without end. What is it, if it is not that? There seems to be no end to the squandermania which he indulges in from the time he came into office.

There is no clear indication from the Statement which he made that the Government intends to run the service as it is or to nationalise road transport in this island, or to denationalise such parts of the transport system which they now unfortunately control.

In paragraph 3 of the Statement the Hon. Minister of Communications said that whether the island's services are integrated into one concession and a unified system to be operated by the Transport Board or by a privately owned concern will depend on the outcome of these steps and the success of these efforts.

Mr. Speaker, I know that you will not be entering the debate, but I am directing my remarks to you in order that you may know what the Hon. Minister has said and committed to print. He goes on to say that a recent survey of omnibus operations in this island is now being studied. That is what the Hon. Minister himself has said. Whether they are going to run it efficiently or whether they are going to give it back to the private concessionaires will depend on these efforts that he says he intends to make and I would like to warn his colleagues right now that it

is time for him to get out because he has had sufficient time in the three or four years which elapsed to demonstrate whether he or his minions have the necessary acumen or ability of the three or four women in this island who are running transport efficiently and to the shame and eternal shame and everlasting shame of the Government of Barbados.

We want it to go on record that we have in this island the Rocklyn Bus Company and the Liberty Bus Company both of which are operated and controlled by women and which are being run efficiently, which have modernised units and which have not called upon the taxpayers for one cent to subsidise the running of their part of the transport. Therefore, it is a great shame that we should have the Hon. Minister of Communications presiding over communications in this island. If they can enveigle one of those ladies to supplant the Minister of Communications and run the whole transportation system, I would be 100% in favour of that; but we are against the Minister of Communications, his policy and his inefficiency because here you have a glaring example of private concessionaires operating the transportation system with all its attendant difficulties, without the benefit of a Government subsidy, without the benefit of transfer votes such as that which the Government has, the transfer bookkeeping which goes on in Roebuck Street and they are operating it to the benefit of the community, as I have said, without asking the public for a cent of subsidy. Here you have the Hon. Minister of Communications with a big graveyard of buses in Roebuck Street and 42 new units which are bouncing into people's yards and walls day after day and costing the taxpayers over \$500,000 a year. Not only that, but we are asked to underwrite loans which are being raised by the same Transport Board day to day and which are putting us deeper and deeper in the rut; and so it is clear, Mr. Speaker, that from paragraph 3 of the Minister's Statement, he himself is not committed to the idea of nationalisation because he said that whether the island's services are integrated into one concession and a unified system to be operated by the Transport Board or by a privately owned concern will depend on the outcome of those four things which I have mentioned before and the success of these efforts.

What kind of programme or policy the Government has? The hon. junior member for St. Joseph who fortunately or unfortunately is not in his place said that the Official Opposition does not seem to have any policy as regards transport. It soon will be election time and if we are put in power, you will soon see whether we have a policy on transport. We have a policy on everything, Mr. Speaker; but it must be borne in mind that the Government now has the opportunity of carrying out their policy on everything and they have not carried out one policy yet. All that they are doing is building monuments. With all the monuments that they are building, there are not any more schools today than there were twenty years ago. There are still 126 elementary schools in this island. How many secondary schools have they turned out? All you see are monuments being erected like the monument in St. Philip which I described as an empty sepulchre which has never yet been traversed by the foot of one hawker and has never been violated by one purchaser; but there you will see four or five attendants daily sweeping and polishing the counters without one bunch of seasoning inside it. That is the kind of policy which they are indulging in today. I regret to draw the Hon. Minister of Agriculture into this debate. Economic policies do not depend on the plurality of buildings which are erected, but how much money you can spend without throwing it down the drain.

Mr. SPEAKER: I think the hon. member has wandered away from the Resolution.

Mr. BARROW: You must wander when you are dealing with a moving thing like transport.

Mr. SPEAKER: Well, the hon. member must not follow that course.

Mr. BARROW: Mr. Speaker, the Statement of the Minister goes on to read like this:

"A recent survey of Omnibus Operations in this Island is now being studied. Any future decision will be made on the basis of what can be offered by alternative operators in the way of services to the community and at what cost to the public."

Mr. Speaker, if you want to know what have been offered by alternative operators, all that you have to do is to walk and look around and you will see that there are alternative operators operating, but these alternative operators are operating under the control of the Director of Highways and Transport in the first analysis and by the Hon. Minister himself in the last analysis.

3.25 p.m.

(*There was an odour of fire*). I see that the hon. senior member for St. Thomas is making his escape in the early (*laughter*), I would like to assure him that he will not be consumed by any conflagration in this Chamber but by the indignation of his constituents. If you want a clear indication as to the lack of decision on this question of nationalisation, it is contained in paragraph 3 of this Statement. Up to now the Minister has not made any decision because in paragraph 3 of this Statement he says this:-

"Any future decision will be made on the basis of what can be offered by alternative operators in the way of services to the community and at what cost to the public."

I would like to tell the Minister that services are being operated now by concessionaires at a cost which should be well known to anybody because bus fares are fixed by the Government through the Director of Highways and Transport. The units cannot be operated until they are inspected and are licensed to operate. I understand that a member of the Other Place, who is very interested in the survival of the Government, has been going around asking the private concessionaires about their accounts and matters of that kind. If that is what the Minister means by the sentence "a recent survey of Omnibus Operations in this island is now being studied", the bus operators in this island are not aware of any official survey having been made at all. All they know is that a gentleman whom it was rumoured was interested in taking over the transport and running it for the Government, a member of the Other Place, went about snooping, as it were, and enquired into the business of the private concessionaires with a view of his taking over. That certainly cannot be described as a survey because a survey would have to be carried out by a statistician or somebody who has some idea of the running of the Transport Board.

Hon. R. G. MAPP: On a point of order. For the hon. member's information I would say that a survey was carried out at the instigation of a trained economist or by people working in the Department headed by a trained economist.

Mr. BARROW: The Minister of Communications and Works works in a mysterious way his perils to perform. The Minister has told us on more than one occasion that Mr. Cadbury has not delivered any written report, and it is remarkable that the only economist which we have had in this island during the past twelve months is Mr. Cadbury who has made no report. Mr. Cadbury has made no written report and it is remarkable that people working under him could make a report which Mr. Cadbury did not wish to make. I wonder what this report would be. Of course, you can dress up people in Air Force blue uniform and put them to count the passengers who pass down Black Rock on any morning; but when it comes to the Minister and myself — we are talking two different languages; I may be talking ancient Greek or double Dutch for all he understands, and the figures available to him make as much sense as the terms of art which are made use of from this side of the House. I hope that he will not ask for any money to pay for a survey because he has put in a Statement that a survey has been carried out.

The Statement goes on to say this:-

"There is no justification for the provision of high speed roads in Barbados where the saving of five minutes on a half hour's journey cannot be multiplied many times. Traffic and vehicles must conform to the available roads. It is therefore proposed that the Motor Vehicles and Road Traffic Act 1957 should be amended to provide for Certain things. How that comes in I do not know. He has said that there is no justification for high speed roads. I wonder what he means by high speed roads, because as regards the road system, there is not sufficient justification for maintaining the tortuous and badly-surfaced highways which the travelling public has to endure. If this is a Statement of policy that they are not going to improve the standard of road surfacing or the over-all dimensions of future roads or those which have already been part of their programme, that is contrary to the policy existing in all civilised communities where the density of traffic is becoming more and more dangerous to people such as pedestrians, cyclists and school children.

Mr. Speaker, if I had to write a book on Barbados under the Labour Party, I would call it "Barbados without pavements". Not only from the physical aspect of the matter with the Conservative element in this island who did not want to give up a square-inch of land, but the Government Party have come to another conclusion, that pavements are a necessary evil. Despite the number of road deaths, they still cling to the idea that pavements are not designed for Barbados. There is no accommodation, in the outlook of the Government of this island, for these broader concepts and vistas on the over-all economy of this island, which are necessary for the survival of a people where the population is increasing from year to year.

3.35 p.m.

There is no room for expansion; they have reached the geographical frontiers of their imaginations. That is why it is a country without pavements; the outlook of the Government does not accommodate the free flow of ideas on either side of the rather tortuous channel which they circumnavigate at the present moment.

I do not know what prompted the Minister to include a warning that they intend to do nothing about the road system, because that is how it looks to me to say that there is no justification for high speed roads. There is no justification for driving at excessive speeds in any country in the world, but there is no justification in Barbados, let us say, for turnpikes between city and city. Not at the present moment. But it does not mean that the road system in Barbados is adequate, that the standard of road surfacing leaves nothing to be desired, that the roads do not need widening or that we do not desire to have pavements; and while I am on that matter, it would be just as well if some commission could be set up to enquire into the running of the Town Planning Department and the appeals which have been heard by the Executive Committee, because I see flagrant breaches of the Town and Country Planning Regulations committed day by day on the highways and adjacent to the highways of this island, and that is another way in which the Minister must be indicted, by allowing buildings to be erected, quite apart from the market in Bay Street, to project and over-hang the public highways of this island, despite the fact that we have adequate Regulations to curb and to control such indiscriminate expansion.

Now when we come to paragraph 5 of the Statement, the Minister gave warning that he was going to clamp down on the pickups and the vans, because he said that other passenger-carrying vehicles will not be allowed to compete with licensed bus services on routes that are adequately serviced. I would like the Minister of Communications to name one route in Barbados that is adequately serviced by the Transport Board. I would like him to name one route on which during the peak hours - and that is the test of the efficiency of a transport system - people do not have to thumb rides, ask for lifts, come up or go down in pickups, as the case may be, to and from the country, and school children do not get to school late even at the Lodge School in St. John nearly every morning; the buses arrive up there late and they are special buses which are put

aside for school children. At the Coleridge-Parry School - and that is one of the schools the Minister attended and he ought to be ashamed of the present system, not of the school, because down there seventy and eighty boys and girls have to crowd into the same bus on mornings and evenings, and that is something you can witness from the side of the road where buses with a capacity of 48 carry sometimes 93 children, girls sitting in boys' laps and *vice versa*. How do you expect the young people of this country to have a higher standard, which is desired, of morality than the Minister?

Mr. SPEAKER: I should like to tell the hon. member that that remark is somewhat personal. Referring to the Minister's standard of morality is something which I do not think we ought to be interested in.

Mr. BARROW: I know we cannot be as a House; so I will pass on, Sir.

Mr. SPEAKER: I would like the hon. member not just to pass on. It is not really good enough and the hon. member should have that withdrawn, because it is not a thing we should have.

Mr. BARROW: Mr. Speaker, perhaps you did not understand me. I said I would like the children coming up to have a higher standard of morality than the Minister.

Mr. SPEAKER: That shows some interest in the Minister's standard of morality.

Mr. BARROW: I do not want to be interested in that at all, and I will withdraw the remark because I did not intend it to be unparliamentary or offensive.

Mr. Speaker, when the Minister said in paragraph 5 that other passenger-carrying vehicles will not be allowed to compete, that is the kind of pronouncement you would expect to hear in Hitlerite Germany or the Soviet Union, that such-and-such a thing from such-and-such a date will be discontinued, that there should be no element of healthy or any kind of competition in the economic life of this island, and I will give you an illustration of what I mean. For a long time the Airline Companies managed by the Imperial power, B.O.A.C. and B.W.I.A. enjoyed a monopoly in this Island. The average price of a fare to the United Kingdom was anything like £150 or £200 to £250; in recent months independent airlines throughout the Caribbean have been exposing the exploitation and the monopolistic power wielded by B.O.A.C. and B.W.I.A., an exploitation which they have been carrying out against the people of the Caribbean; they have managed to slash the cost of transporting persons from Barbados to the United Kingdom in half, so that today you can fly to the United Kingdom for \$360.

I remember well that about three or four years ago - I say this just to give its historical background - the Minister said when we were talking about immigration that they would have to wait and see what the British people said, and then another member of his Government got up and said that they did not want to lend money to every Tom, Dick and Harry to go to England. Now that they are travelling for the first time of their lives - I mean the Ministers - out of the taxpayers of this Island, it appears to me that they do not want anybody else to enjoy the privileges which they now have at their disposal; so the idea of anybody travelling to England, although it is to look for a job, appears to be one which was completely inimical to their outlook and interest as Ministers. We have all the records to establish that, and I think I do know a little more about air transport than the Minister. I am not being personal one way or the other, but if you go back to 1955 you will see in the debates where I was attempting to expose the whole slam of the monopoly enjoyed by B.O.A.C. and B.W.I.A. in the Caribbean, because for a long time I have been aware that the rates were more than twice the economic rate which an airline should charge to transport people from Barbados to England, and I have been justified in the result because in the past six months or so, the prices have been drastically reduced to about \$360 or £75 sterling.

3.45 p.m.

Now, Sir, one would have thought that if anybody was going to be encouraged, since migration of people and the export of the labour force are one of the main planks of the Government Party, the Government would have welcomed this innovation with open arms and would have gone out of its way to encourage, to foster, and even to charter planes of suitable stature of this radically reduced rate; because no longer would would-be emigrants have to endure the fortitude of suffering the coldness of the Atlantic in winter-time but emigrants would be able to leave Barbados this morning and be in London or Birmingham tomorrow, and, therefore, the period of suffering would be only a day instead of ten days at the least while crossing in a boat. Sea voyages are really for retired people and people who do not rest; but people who want to work and who try to increase their purchasing power want a shorter period of time in travelling and are not interested in a sea voyage. All these are facts which must be taken into consideration when looking at the transport policy of the Hon. Minister.

Here in Barbados we have people like Air Vice Marshal Vincent and other members of the Air Transport Commission. These are men whom I have a great deal of respect and admiration for. Air Vice Marshal Vincent is one of the outstanding men in Civil or Military Aviation in the 20th century and in any century - for that matter in the history of mankind. However, I hope that this Commission which is appointed to clamp down on the operation of these independent airlines is not tendentious. I do not care whether the airlines make a profit or not. Of course, it is a fact that no plane can fly in or out of the United Kingdom unless it conforms with the standards set up by the Air Transport Authorities; therefore, that is not a problem. No plane is allowed to take off from any Airport under the International Conventions unless it conforms to certain standards. In the same way that the Harbour Master does not permit any schooner to go on a sea voyage unless he is satisfied that it has a certificate of sea-worthiness, so it is as regards planes; they must have certificates of air-worthiness. As a matter of fact the restrictions are far more stringent when it comes to airlines than it is with sea going vessels; therefore, the question of whether a plane is air-worthy is not a problem. The only problem is that we are so committed to imperialism that we feel that long after the Empire is interred in its grave, we must continue to carry the banner of imperialism and uphold a lot of imperialistic monopolies like the British European Airways, though the British themselves and people in more enlightened parts of the Empire are not prepared to put up with it. We in Barbados, the last far-flung outpost of the British Empire, are always looking to uphold the banner. We always sing "Land of Hope and Glory." Many a time when I was a schoolboy I was forced to go in the sun and sing patriotic songs about the foreign rule over the unfortunate people of the West Indies. I changed "Land of Hope and Glory" into "Land of Dope and Tory" and "Britannia Rules the Waves" to "Britannia Rules the Slaves". We still have Ministers in this year of grace who would be afraid to operate on the imperial front, but on the economic front would do everything to crucify the people of Barbados so long as they are carrying the banner of imperialism. In the first reflection told in 1948 by Lord Russell he remarked arising out of something emanating from Barbados that one of the distressing things about imperialism was that it always manages to find some of the subject people who are prepared to justify it. That is one of the distressing things about the conduct of this island by the Government. You find that in 1960 instead of this Government trying to encourage any airline which is going to get emigrants up to the United Kingdom cheaply, it embarks on a policy which can only have as its results the suppression of such activities. One has to look with suspicion and ask whether members of that Government are really sincere in their representation of the people. It is a matter of profound regret, no matter what political opinions you may have on the floor of the House or outside, that you should have people today who are prepared to foster imperialism and carry out the work of their masters to the detriment of the rest.

I am glad that I have found some accord or discord by some of the Ministers on the other side. I believe the

volume of the applause which they are making over there is some indication that the Minister is on his way out.

Lastly, Mr. Speaker, the Hon. Minister of Communications said that special permits would be issued for the operation of goods and other vehicles. When we deal with pick-ups and vans in the course of this debate, I want to make it abundantly clear that this issue is not to be confused because I have heard some of the backbenchers saying that these people are going to have permits. They are told in the letter which I quoted last week that they are not going to get permits. The Director has not been able even to say what offence has been committed by these van owners, although these van owners have written to the Director of Highways and Transport, and asked him to particularise what sins of commission or omission he has been complaining about, and what are the special terms for the operation of goods and other vehicles. They certainly do not apply to the vans belonging to Messrs Alleyne, Arthur & Company, the Barbados Ice Company, the Telephone Company and places like that. It does only refer to pick-ups because their intention is that these pick-ups must be put off the routes that are adequately serviced by licensed bus services. Who is to decide whether a route is adequately or not adequately serviced? Is it that the Director of Highways and Transport wrote letters to every pick-up owner in the Island with the exception of one gentleman who operates his pick-up in St. Peter - a gentleman whom I know very well and do not wish to call his name?

3.55 p.m.

Clause 6 of this Statement, therefore, is not to be taken as allowing any loophole for these van owners. I know that what the Director and the Minister had in mind was that Messrs Alleyne, Arthur & Co. Ltd, the Ice Company and people like them will have special permits to operate their vans as goods vehicles, which they are; but no pick-up owner will be able to say: "I am a goods vehicle owner; therefore I can carry hawkers". How can they force the hawkers in the transportation of their yams and potato slips, dripping water all over the place, out of the use of the pickups and expect that they will improve the efficiency of the transport system? That only shows that they are coming to imbecility. Are they going to use donkey carts? I will give the Minister a free suggestion, now, to do what they do in London and in other civilised places in the world. If I call the names of Messrs H. O. Emtage & Co and Alleyne Arthur and Company, it is only because they operate in Bridgetown where the density of the traffic is heaviest and they are allowed facilities of parking in Magazine Lane, in High Street and the approaches to Bridgetown throughout the day. Make them pay double time and at 7.30 o'clock in the morning all the loading should be completed. There are other people who are guilty of cluttering up the streets of the City. Roebuck Street is a very wide thoroughfare and it can accommodate parking on both sides and still leave three or four lanes of traffic. In England all the produce has crossed the channel by two o'clock in the morning and by 5 o'clock every vehicle is out. That would leave a free flow of traffic in cities like Birmingham and Manchester. They have allowed certain people to park these big vehicles in the streets when you and I would probably be prosecuted for being so adventurous.

At this stage, Mr. DEPUTY SPEAKER took the Chair.

Mr. BARROW: Mr. Deputy Speaker, there are a lot of things with which the Minister could occupy most of his time usefully in the short space of time which he has at his disposal; there are a lot of things which a word to the Police could put right. But let him stop persecuting the taxi drivers and the emigrants, making it difficult, if not impossible, for them to go overseas to earn a livelihood which this Government is not providing for them in Barbados. Let him turn his attention to the little petty details and leave the position which he now occupies for somebody who has greater competence and ability to perform the very serious duties which have to be performed by a Minister of Communications in an island such as this. He is a luxury which we cannot afford; there are many backbenchers, and probably there are frontbenchers, who, were it not for the sake of Party solidarity, would probably agree

with me. We cannot drag you, Mr. Deputy Speaker, into the debate, but we all know that the Deputy Speaker is a man with a certain amount of reasonableness. There is a time in any democratic community where you have to weigh very carefully the principle of Party solidarity against the interest of the common weal, the public good. I say this: You should use the principle which is enunciated in the Federal Constitution and it is a principle that in the conflict between law and equity, where any politician or parliamentarian finds that the two are in conflict, that the public good is not coincident with the principle of Party solidarity, then that politician-parliamentarian in whatever Party he may be, has only one duty to himself and to his constituents; that is to see that the interest of the common weal and the interest of his country must prevail over the selfish, self-centred and narrow-minded interest of Party solidarity and self-preservation. Even if it means that a member of the Party on that side or that a Minister should go out into the wilderness because he realises that the Minister of Communications, the senior member for St. Thomas, is leading this country down the Gadarene slope into destruction, his duty is to get away from it and come out straightforward and tell the Premier that he will go out in the name of God.

Mr. WALCOTT: Mr. Deputy Speaker, as I have said, His Honour the Speaker has given me permission to resume this debate because I was not present on the resumption. My strictures are not the same as the hon. member who has just sat down. That is to say, my strictures deal with the Ministry as a whole and not the Ministry of Transport only. I said earlier that the Minister had a bad legacy; he has inherited something that is not so pleasant. I would like to say, in beginning what I have to say today, that nothing I say is to be taken as being personal or to be taken to mean any ability or encomium, because I would like to put the record straight. Whether I vote for the motion or not, it should not be taken to mean that I am in support of the Government policy in a general way.

4.05 p.m.

I feel that you cannot take it as some members have said as whether the Minister should go or whether the Government should go within the Constitutional set-up. The Government will go eventually, though not necessarily on a motion of this nature. Other Governments have gone and bad Governments do go in process of time; but it is a question of rallying your forces to bear and let people see where the errors are, and not to believe that somebody is there for ever and ever, just like a former Premier used to say.

As I said, the Minister had a bad legacy in transport. The former Minister challenged me on the last occasion, and we will have some more of that because he cannot resist any speech of mine which puts him on the spot. When I said that he was an arch-protagonist of the political stooge system in that he left with us this legacy of incompetent misfits who run the Transport Services and cost the Government and the country as much as it did, he objected; but I again say that it came down through a former Premier who in the sort of conundrum he put forward as a statement said that over his dead body these bus fares would never increase, no matter what happened. If gasoline goes up these things must happen; you do not increase it one way, but you increase it another. I am not dealing with that because I am not a believer in fooling people.

I for one could not believe or could not think that you could invest \$25,000 in a bus, Mr. Deputy Speaker, and expect to have greater returns or operate it at a profit as when you formerly bought a bus for \$2,000; it just does not work. The hon. junior member for St. Andrew was courageous enough to say that you have to examine the pickups. In Barbados, the whole transport system lacks coordination; you have pickups and vans and there are also different types of produce. For example, Mr. Deputy Speaker, I see people travelling on buses in Barbados and the buses are laden with very heavy ground provisions coming from your constituency. I happened to be a resident for a month, and I am sure you would not object to having me as one of your constituents even on a temporary basis, though it was said that if a man is on holiday he

can only be regarded as rich. I would like to see more of the workers go on holiday because of the new things we have. But now we find buses are laden with heavy produce together with passengers. Apart from anything else, that is dangerous; sometimes I see breadfruits, bananas, and all sorts of things and in between them you find a human being, and invariably the human being is a woman. There was a time when you brought these things from the country not in a bus, because there were no buses, but in donkey carts; there was not a passenger service. Now that you have created a passenger service, as distinct from a goods vehicles service, you have to educate people to use the service so that if a woman has produce to send to town she can have it sent by a goods vehicle. Do not let the people in Barbados believe that forever and a day they must have a seat in a bus and also somewhere to put their breadfruits because they do not want to see their breadfruits going on something on which they are not going. You will have to get a breadfruit bus by itself; so you will see the type of things that has grown up.

As the hon. junior member for St. Andrew said, these pickups go to the fields and bring down potatoes, slips and certain other things; so they form a service which is part of your transport economy; they play an important part. The question is how you are going to regularise these things.

Now the only difficulty I have with the Minister, and it is not his fault, is that the whole transport system should be run as a single service, but in Barbados there are too many people who do not want to offend. Though Barbados is small you have committed yourself to giving buses back; so you cannot go back to them because it would look as though it were something personal; and in view of the fact that Barbados is only 166 square miles and you cannot run a single bus service efficiently, something is wrong. I think it is a matter that these buses were taken over with a background that you were not going to increase fares and today it was drawn to my attention that for the month of June the Transport Board showed a profit in its service. As I said, there is no question of not using the best system. I am the workers' representative and I do not like to see people put out of employment, but you have to take a brutal analysis of something new when you are employing people. You are not doing the community any good if you cannot gainfully give ten people ten good jobs and reasonable earnings, rather than make people feel that you are going to have twenty people doing the job.

On the transport side, I feel there is a lot of room for improvement.

My serious objection to this Ministry is the sort of duplicity you get from the Ministry and the Government on the basis of housing. I started to make the point, Mr. Deputy Speaker, that I could not understand the Minister as Minister for housing. It was drawn to his attention that a proposed site known as Forde's was not suitable for housing and the Government objected to that statement. This place is in Speightstown. Moreover the Government attempted to have a section of its followers in that constituency pass a Resolution saying that that was a suitable site, but I understand that medical and other people have turned down this site as unsuitable.

Mr. DEPUTY SPEAKER: I do not think the hon. member is keeping within the Resolution which is before us.

Mr. WALCOTT: What is the Resolution before us?

Mr. DEPUTY SPEAKER: Don't you know?

Mr. WALCOTT: Mr. Deputy Speaker, I want you to tell me.

Mr. DEPUTY SPEAKER: I am drawing to your attention that you are dealing now with Forde's pasture and with housing, but this is nothing to do with housing.

Mr. WALCOTT: Isn't it? I would ask Your Honour to refer to the Resolution before us.

4.15 p.m.

Mr. DEPUTY SPEAKER: The Resolution reads as follows:-

BE IT RESOLVED that the House has no confidence in the Ministry of Communications as to its administration of -

- (a) Public passenger transport, including its present attitude towards motor vans, known as "pick-ups";
- (b) Seawell Airport; and
- (c) Generally.

Mr. WALCOTT: Well, Sir, there is no Ministry of Communications. There is a Ministry of Communications, Works and Housing; so whenever you are dealing with that Ministry, it is no single Ministry.

Hon. R. G. MAPP: Mr. Chairman, I rise on a point of order. I want to get this matter perfectly clear in my mind. I look upon this Resolution as meaning the Ministry as a whole. I do not see how you can separate Communications from Housing and Works. I intend to launch over the whole ambit of the Ministry in my reply and it is going to take a great deal of time. I am going to put the positive side of my Ministry as a whole. I do regard this motion as referring to the Ministry of Communications, Works and Housing which is the only Ministry I have to control.

Mr. WALCOTT: Sir, I was never in any doubt because the motion as moved is a motion against the Ministry and against the Minister and not against the Government. You use the phrase "Ministry of Communications" but there is no Ministry of Communications *per se* under our Constitution. It is a Ministry covering Communications, Works and Housing; so you cannot say that you have no confidence in the Minister of Communications which is the same person who is administering the Ministry of Works and Housing, but you have confidence in the Minister of Works and Housing, so that if he were to put down the Ministry of Communications, he can take up the Ministry of Works and Housing. You cannot separate the Minister from the Ministry as a whole because it is like separating your heart from your body. All of the debate must spread on the Minister in his capacity as Minister for Communications, Works and Housing and I may say that some hon. members in their debating the issue even went outside of that.

I wanted to deal with some of the things which the Minister himself is responsible for and my reference was a reference to state where I disagreed with the policy of the Ministry and the Minister in relation to housing.

Now, Mr. Deputy Speaker, that is my view of that, even in what the Hon. Minister said. It would be difficult to restrict the debate to Communications only. I would have to say something on the question of the Airport later on. I do not regard this motion, Mr. Deputy Speaker as a personal motion against the Minister of Communications. I regard it as a motion to debate some of those things which have been annoying hon. members.

So far as the Airport is concerned, I do not know what is the experience of other hon. members, nor am I one of those people who look for official treatment which would be different from the treatment meted out to persons generally. I do not want to go any further with a passenger than a reasonable distance and I feel if it is necessary for me to ask permission to meet some person arriving, that permission would be granted me. I see throughout the West Indies that there are certain privileges which certain people are granted with respect to meeting passengers coming and going and in all countries there has to be a limit; you must stop at some time.

At the last meeting the point was raised that some people can go out to an aircraft and the question was asked why some people can go and others cannot. I would say - and I believe I am voicing the opinion of other hon. members - that I do not believe members of the House would want to go out to an aircraft to meet people, but I doubt very much if you can have a regulation which can preclude members of the House from going to within the same pre-

cincts as such people are given as you see when you go to other places. However, I do not have strong views on these things; it would have to be something specific which the Ministry has done to be an affront to members of this House or to the people.

On the question of the taxis, I do not know what is the policy of the Minister. I think I did hear the Hon. Minister of Communications say on one occasion that he was not aware of what the Tourist Board had arranged in so far as people coming here and using the bus service and not the taxi service.

Hon. R. G. MAPP: Mr. Deputy Speaker, I rise on a point of order. I do not think that I made the statement in here, but I told a section of the Press that the Transport Board had been called in about this and I went on to say that at the time they told me that they had the order, it was also told them that the numbers of the passengers who were calling here from off that ship were so many - I think the number was 800 - that when you took out those whose desire it was to use the buses from those who were using taxis, the Taxi Association which would get the rest was quite satisfied. As a matter of fact, the promoters were in actual negotiation with the taxi owners up to one day before the ship landed to take those passengers out.

Mr. WALCOTT: I am a very busy man, and the Minister is a busy man, and because of that I arranged to meet the Minister on this question of the taxi business. No matter what members of the Government might feel, the taxi people have nothing but praise for the success of the Workers Trade Union because it has shown that it is successful in its dealings for other workers. The taxi people came to my organisation and asked whether we could do anything to regularise their position. We had some frank discussions and I promised them that I would let the Minister know what is the position. Since then, I have been away and the Hon. Minister has been away too.

The time has come in Barbados when taxi owners should have an Association. We told them so. Their association could then be affiliated with another big organisation like the Barbados Workers Union which could give them the technical representation, the sort of representation which a lawyer would give you in Court because sometimes lawyers are not the best people to deal with these things out of court.

4.25 p.m.

That is one of the things which I feel the Minister would have to settle in Barbados. Taxis form an essential part of your transport service, but do not take that for granted; there are other systems of transport run by other owners, and the bigger owners together with the steamship companies operate what you would regard as a close circuit system which sometimes is detrimental to the interest of the taxpayer. I heard one Minister say that he is the boss, but nobody needs to remind him that if a Minister is a Minister in a small church, it is taken that he is the boss of the church. You count the collection and you tell the congregation what the collections were. They have confidence in you; but if they go to check and find that they have no confidence in you, then the collection would go somewhere else. I feel that the Minister should be willing to initiate a policy. I would say that if Barbados is going in for the tourist trade and you bring in some people here, I do not know that the Minister can do anything if the people say that they want the buses. In London B.O.A.C. and all the lines have buses; you can take a taxi if you like, but it is the system in which there is nothing to prevent a man from saying to his friends: "When I go to Barbados, I want such and-such a person to come for me."

Mr. DEPUTY SPEAKER: It is now 4.30 p.m. of the clock, time for the resumption of Government Business.

STATEMENT re TRANSPORTATION OF EMIGRANTS TO THE UNITED KINGDOM

Hon. R. G. MAPP: Mr. Deputy Speaker, before we revert to the matters on the Order Paper under "Government Business", I am asking leave of the House to make a statement.

Mr. DEPUTY SPEAKER: The Hon. Minister is asking leave of the House to make a statement. If there is no objection, leave will be granted to the Hon. Minister (After a pause.) There being no objection, leave is granted.

Hon. R. G. MAPP: Mr. Deputy Speaker, the statement is as follows:-

"On the 4th August the Government was accused in the House of Assembly of placing obstacles in the way of 71 emigrants to the United Kingdom by refusing permission for the operation of an unscheduled flight by the airline Intercontinental on the 4th of August. In this connection I would like to make the following statement.

2. In March, 1960, the Director of Civil Aviation, Barbados, received the following letter from Richard A. Williams & Co.:

"Dear Sir,

Our Principals Messrs. Archille Lauro of Naples, Italy, have recently informed us that their ship "SURRIENTO" which was scheduled to sail from Barbados on or about the 18th of this month, will not be making the call due to certain repairs and alterations not having been completed as per schedule.

In the meantime we had advertised this sailing throughout the B.W.I. and we have booked over 600 passengers for England for the above-mentioned sailing; in order to satisfy our passengers we are forced to make alternative arrangements to transport them to England, and as this has been most difficult to arrange with other ships, we are forced to send them via Air.

We have requested our Agents in Miami to put out an International bid to the various Airlines for the transportation of these passengers, and the only airline that has been able to quote competitively is "INTERCONTINENTAL" who have told us that they are in a position to operate the flights with DC4's and have requested us to contact you immediately asking for permission to operate two/three flights Barbados/London.

In view of the fact that we are obliged to sign a Charter agreement with Intercontinental not later than March 15th, we would appreciate it very much if you would confirm as soon as possible that it would be in order to operate these charters. We may mention that they had planned to operate these charters during the last two weeks of March.

Thanking you in anticipation for your cooperation.

Yours faithfully,
RICHARD A. WILLIAMS & CO.
per Richard A. Williams,
Partner."

3. The Director of Civil Aviation contacted the Civil Aviation authorities in Washington, U.S.A., with a view to obtaining information on the airline "Intercontinental", as no Aviation publication had such an airline company listed.

4. In due course, the following Cable was received by the Director of Civil Aviation, from Washington -

"Intercontinental hold no economic authorisation from this Agency. It was issued a Commercial Operators Certificate by Federal Aviation Authorities for private carriage operation on March 18th, 1960. Flights between points outside the U.S.A. require no prior authority from this Board."

5. This information indicated that apparently Intercontinental had recently been formed, and received a Certificate from the U.S.A. Aviation Authorities on the 18th March, 1960, i.e. eight (8) days subsequent to the date on the letter written by Richard A. Williams & Co. to the Director of Civil Aviation.

6. The Cable from Washington also appeared to indicate that provided Intercontinental was operating between countries outside of the U.S.A. the U.S.A. Aviation Authorities did not intend to pay too close attention to its operation.

7. However in view of the predicament in which the 600 emigrants mentioned in Richard A. Williams & Company's letter dated 10th March, 1960, found themselves, and in view of the fact that no British airline was able to provide aircraft to operate on the Cabotage route, Barbados to London, the Director of Civil Aviation decided to issue permits to allow the American airline Intercontinental to lift the Emigrants from Barbados to London, and the flights were duly carried out.

8. In June, 1960, the Director of Civil Aviation received the following letter from Messrs. Richard A. Williams & Co:-

14th June, 1960.

"Sir,

We are requesting permission to operate the following flights from Barbados to Shannon, by "Inter-ocean's Aircraft LX - IOA:

Depart Barbados	6th July, 1960
" "	10th July, 1960
" "	14th July, 1960
" "	18th July, 1960

It is proposed to take the following routes:-

Barbados/Bermuda/Gander/Shannon. The Aircraft will take 74 passengers on each flight.

Thanking you in anticipation for your early reply.

Yours faithfully,
RICHARD A. WILLIAMS & CO.
per R. A. Williams,
Partner.

9. The Director of Civil Aviation contacted Richard A. Williams and Co. and was informed that -

(a) Interocean and Intercontinental were one and the same American airline, but used two different names.

(b) Difficulty was again being experienced in getting Emigrants to England by boat, and therefore it was necessary to send them by air.

4.35 p.m.

10. The Ministry of Civil Aviation, London, refused to grant permission for the American airline Interocean to land in the United Kingdom, as such an operation constituted Cabotage. Richard A. Williams and Company therefore decided to send the emigrants to Shannon, Ireland by Interocean, and then on to London by surface transport, in an endeavour to avoid a breach of Cabotage.

11. The Director of Civil Aviation granted permits for the Interocean flights requested in Richard A. Williams & Co's letter dated 14th June, 1960, as once again it appeared that emigrants would experience difficulties, if no flights were made available, and once again no British carrier was able to meet the requirement.

12. The Director of Civil Aviation also instructed the staff of the Department of Civil Aviation to examine the Air Crew Licences and Certificates of Airworthiness, for each emigrant flight leaving Barbados.

13. Such a procedure is in accordance with Regulation 29 (a) Part III of the Colonial Air Navigation Order, 1955.

14. In June, 1960, the Director of Civil Aviation received letters from two other agents applying for permits to be granted to chartered American Carriers to land at Seawell Airport for the purpose of conveying emigrants.

15. In order once again to ensure that no unnecessary hardships was brought to the emigrants the Director of Civil Aviation approached the Honourable Minister of Communications, Works and Housing, Barbados, and suggested that the Government of Barbados approach the United Kingdom Government with a request to lift the Cabotage restrictions, and to permit the American non-scheduled carriers to operate from Barbados to London, until such time as a British Airline was in a position to meet the demand for air transportation of Emigrants, from Barbados to London.

16. The Government of Barbados immediately took up the matter with the United Kingdom Government, and on 14th July, 1960, the United Kingdom Government advised the Government of Barbados that for the remainder of July, 1960, the United Kingdom Government would endeavour to look sympathetically at applications from foreign airlines, wishing to operate on the Cabotage route Barbados to London, for the purpose of carrying emigrants.

17. In the meanwhile, three disturbing factors had arisen in Barbados, in connection with emigrant flights - one, the Pilots of the American non-scheduled airlines contracted to lift emigrants from Barbados, indicated that they were most reluctant to show their licences and certificates to the Department of Civil Aviation, and one of the pilots was most severe in his verbal attack on an Air Traffic Control Officer of the Department of Civil Aviation, who had requested to see the relevant documents, in spite of the fact that the Air Traffic Control Officer concerned had advised the pilot that he was legally within his rights to make such a request.

18. The Pilot subsequently produced the Documents, and it was found that one of the crew had no documents. It was claimed that this crew member had lost his brief case containing his Licence.

19. The second disturbing factor was that Local agents in Barbados were now widely advertising air services from Barbados and quoting dates on which such services would operate. It was obvious that it was no longer a question of facilitating emigrants who were unable to obtain a boat passage, but that a regular air lift was being organised to take emigrants by air from Barbados.

20. In this connection, I would like to draw attention to the fact that scheduled air passages to England were advertised by the agents referred to in the House in a local newspaper for the following dates:-

4th, 8th, 12th, 16th, 20th and 24th August.

21. A "Scheduled journey" is defined by the Air Navigation (Licensing of Air Services) Regulations, 1959, as follows:-

"scheduled journey" means one of a series of journeys which are undertaken between the same two places and which together amount to a systematic service operated in such a manner that the benefits thereof are available to members of the public from time to time seeking to take advantage of them."

Such journeys should not be undertaken except in accordance with a licence granted by the Air Transport Licensing Authority.

22. The third disturbing factor was the irregularity of the services provided by the American non-scheduled carriers, who at times, operated up to four (4) days late, causing great inconvenience to the emigrants.

23. The Director of Civil Aviation was most concerned over the question of safety standards and in view of the reluctance on the part of the air crew to produce their Documents, the Director adopted the procedure of examining each American non-scheduled aircraft when it was parked on the apron at Seawell Airport. Not having the necessary legislation or air agreement whereby an Engineer could be obtained to examine the American non-scheduled aircraft concerned, it was difficult for the

Director of Civil Aviation to prove conclusively that some of the aircraft being used to transport emigrants out of Barbados, were definitely not up to the International standards, but the Director was by no means reassured by his examinations of the aircraft.

24. At this juncture - July 1960 - the Director of Civil Aviation decided that in view of all the factors involved, it would no longer be possible for him to continue issuing permits to American non-scheduled carriers, to lift emigrants from Barbados, after the end of July, 1960.

25. Having arrived at his decision, the Director of Civil Aviation advised Messrs. Richard A. Williams and Co. that no further permits would be issued to the American non-scheduled carriers to lift emigrants out of Barbados after the end of July, 1960.

26. Messrs. Richard A. Williams & Co. continued to advertise emigrant air flights out of Barbados although no permit or licence had been issued for the flights advertised. Any inconvenience or hardship experienced by emigrants who had been advised that they would leave on an emigrant flight from Seawell Airport on the 4th August, 1960, was caused by the local agents who contracted business in spite of the fact that the airline they intended to utilise had no authority to carry out such a flight."

Mr. DEPUTY SPEAKER left the Chair and the House resumed Committee, Mr. BRYAN being in the Chair.

COMMITTEE ON FISHING INDUSTRY (AMENDMENT) BILL

Mr. WALCOTT: Mr. Chairman, we are going back to Clause 3. The Hon. Minister was very enamoured about this Bill and he said I did not read it. He is so enamoured about that he looks upon this as fisheries policy. There are those of us who can deal with his argument very logically, and I find that the hon. senior member for the City - it is true he came in late - used the same argument that the Government is spending money on fishing and therefore the fishermen must have a licence.

Now the Government has an Agricultural Department and lends money to the people who work in the industry. Do you say that a canecutter must have a licence to cut canes? Do you say that because you lend a mason or a Civil Servant money he must have a licence to work in the Civil Service? Where are these people going to wear the licence? Registration is a different thing from a licence, and I would be in favour if you said that every man who went fishing had to be registered in order to procure a loan. By all means if a fisherman wanted to borrow money, he should register his name. When the Deep Water Harbour is finished, that is where I would tell the Minister that every man who wants to work in the Port must be a registered dock labourer in order to pass through the Port because you could not pass through there unless you had something to show you were a Port worker because it is going to be a protected area. You have already registered the boats; so why tell a man that he must have a licence like a snowball cart? Will he have a licence around his neck like a rosary? You know that fishermen go to work in slender garments, an old pants and an old waistcoat, maybe a postman's old pants if he can get one, so where will he keep the licence, in his pocket or under the boat hull?

What I am really dealing with, Mr. Chairman, is that the hon. member says that if you pass a law without a penal sanction, it is not law. I am saying that there should be no penal sanction if your aim is to get information from these people. The hon. member knows that every fishing boat is supposed to be registered, but if you had said that unless a boat is registered there would be a fine, that would be understandable. You can see a boat, but how are you going to deal with a man?

4.45 p.m.

When a man goes down to his boat on any morning and his crew is not there, are you suggesting that that man is going to pull back up his boat if there are two people who can go out with him? Nowadays, with a powered boat, you can go out fishing although you are not a fisherman

because there is not much old iron to turn about as ballast. In the old type of fishing boat you had to shift the old iron whenever you are going to make a tack, and sometimes the old iron would burst one of your toes; but you do not have that to do in a powered boat. Mr. Chairman, you can go out in a powered boat and I can go out.

I do not know if hon. members understand or have analysed the fishermen of Barbados. The people who fish in Barbados come from fishing villages and it is not a calling which appeals to the brightest in a family. It usually is a calling for the ones who find that school is not meant for them. One will say: "let me get a line and go out fishing; algebra and dictation have no liking for me." If you take an analysis of the background of fishermen, you will find that 99.9 per cent are those men and boys who were not particularly bright at school or who have come from a family which is an indigenous fishing family: that is to say, your father was a fisherman and your grandfather was a fisherman. Sir, how many fishermen do you know in Barbados who have come from St. George or St. Thomas apart from the gentleman who was going to carry the sea to St. George? The representatives of St. George or St. Thomas cannot go on their Voters List and find a dozen men whose occupation is fisherman. You may get a fellow in St. James who is likely to have married a woman in St. Thomas and as he is living now in St. Thomas he put down on his Voting Card that his occupation is a fisherman, but hon. members know that fishermen for the most part live near the beach and because they love the sea and might not be very bright at school, they become fishermen.

The Hon. Minister of Agriculture said that they wanted to do something for the fishermen but this does not prevent the fishermen from drowning. The argument of the hon. senior member for the City is that you are spending money for the benefit of fishermen; therefore he does not see anything wrong for fishermen to have licences. But I want him to understand that registration of fishermen and fishermen having licences are two different things. If a doctor comes here, he goes and registers to practise his profession. He does not register to be a doctor because he is a doctor already. Here it is that you want a fisherman to take out a licence because you say that you want to know who he is and where he lives because you are going to lend him money.

Mr. CHAIRMAN: This Clause does not deal with the granting of a licence to a fisherman; it deals with the revocation of the licence and it contains a penalty Clause. I think that I have given you a lot of latitude and I am asking you now that you have made your points about the licence to get back to the subject of Clause 3 which deals with the revocation of the licence.

Mr. WALCOTT: What could not be emphasized when you were dealing with the granting of a licence can be emphasized here. When the Hon. Minister was speaking on the introduction of this Bill, people believed that it was a simple thing and that there was no problem in this; but what I am pointing out now is that there is a problem in that it is the granting of a licence, and if it is revoked, the fisherman cannot fish any more and the reason for it under the provisions of this Bill is so long as the Director is satisfied, after giving the said fisherman an opportunity of being heard, that he has been convicted of an offence under section nineteen of the Fisheries Regulation Act, 1904, he can revoke his licence.

Then it goes on to say:

"When the Director revokes a licence in accordance with the provisions of this section, the revocation shall have effect from such date as the Director may direct, and thereupon the licence shall be given up and cancelled, and any person refusing or neglecting to give up his licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars."

What I want to emphasize is what the Hon. Minister failed to emphasize. Nobody in this House, nobody in his

right senses would disagree to severe punishment for a person who dynamites fish. The Hon. Minister says that he is showing his strength by his courage in bringing down this Bill because it was said that the people in St. Philip are dynamiting fish.

This is a matter of commonsense. A rock blaster goes to work in a quarry blasting stones. Would you suggest that he should have a licence? What is the position with an agricultural worker? Do you suggest that he should have a licence? If you catch an agricultural labourer dynamiting fish, what is going to be the position? Are you going to say that he cannot cut canes any more or that he cannot go into the sea any more? But you say to the fisherman, according to this, that if you dynamite fish, you shall not fish any more. If a man is not a fisherman and he dynamites fish, what are you going to say to him? I do not know who are the culprits that dynamite fish. I do not know if the Hon. Minister of Agriculture realises that there are some people who perform fishing without going out in a boat of their own. They have some people whom you see get in a "Moses" and scull it all around the coast. They have some men who perform fishing that have never got into a boat in their life.

4.55 p.m.

You do not want a fishing boat to catch frays or drop a fish pot. I do not know that if a man drops a fish pot he will be told that he cannot dive up such a fish pot; you cannot do that because you have no licence. Suppose I went diving and dived up a fish pot, I want the Minister to understand the effect of this legislation in so far as fishing is concerned. Although this Government is run by the experts - Mr. Hess will tell you something but when he finishes it is the fishermen who have to catch the fish. I see fishermen walking about with an old lantern catching fish for bait. I want to say that this provision about having a licence to catch fish is unnecessary. When we pass this Bill you will see the net result which you will get from it from the point of view of administration. This is nothing which the Fisheries Officer can administer; it will work an undue hardship on the fishing industry as a whole. If you were to begin to insist that if a boat-owner commits an offence by taking out to sea a man who is not licensed, you will see the hardship which will be suffered.

In Barbados you are lucky that you do not have compulsory education in the sense that if you had compulsory education and boys were compelled to be in the schools until they were 14 years of age, it may be that the people who are now being driven to fish would not be in the numbers in which they are now. The position would be that you would have to think of training people for jobs, because when people are educated and enlightened they will not be driven into any *ad hoc* employment. In my view, this legislation which will be more of a nuisance to the fishermen than a help to them.

Mr. MOTTLEY: When we adjourned for lunch I was speaking on this Section 3 of the Bill. I have mentioned and I will mention again, that whenever the Government or an individual, a business or for that matter, a corporate body, is spending money on an industry, they must find ways and means of getting statistics; they must be able to correlate these statistics for future guidance. I do not think that anybody has any objection to the Government getting statistics about people to whom they will lend money. Personally, I do not see that there is anything wrong with that. If you have fishermen borrowing money, and I may say that the Government has not lent any fishermen money up to now.

Hon. D. D. GARNER: On a point of order. That is not exactly true.

Mr. MOTTLEY: This Government has never lent fishermen any money; that is as true as John 3.16 or you are an atheist. There are not fifteen fishermen in the whole of Barbados to whom the Government has lent any money because the fishermen do not own anything. They have not even got good suits.

Hon. D. D. GARNER: On a point of order. There are boat-owners who are fishermen themselves.

Mr. MOTTLEY: I am dealing with the fact that you do not lend fishermen money as such; I am not mincing any matters about that. Everybody knows that you will require security for loans; it is a business transaction. I repeat that you are not lending fishermen any money; you are lending boat-owners money. You lend them money to install engines in their boats. You lend money to shopkeepers, land owners and such persons. I know of a man whose wife was persuading him not to borrow any money. She said: "Do not borrow any money to put in a boat; my machine is to be paid for." I say that you must be in a position to get your statistics, but I am wondering if this is the correct way in which to get these statistics. I have listened to the speeches made on the second reading of this Bill and I realise how much latitude, Mr. Chairman, you have given even to the Ministers. That is the patience with which you are endowed.

As Clause 3 hinges so much on Clause 2, I am telling the Attorney General of Barbados that under the preceding section you cannot get anybody convicted. You are just wasting time. Actually, Mr. Chairman, you will realise, and this matter affects you ...

Mr. CHAIRMAN: We are now dealing with Clause 3, not Clause 2.

Mr. MOTTLEY: I am only taking Clause 3 along with Clause 2 in order to show you that you cannot take Clause 3 out of the whole structure of the Bill and convict a man under that section. Clause 3 deals with a man who refuses to give up his licence after it has been revoked, having been issued under the List. Under that section he can be fined \$50, whereas a man who allows anybody to go to sea for the purpose of fishing for gain who is not the holder of a licence, if he is found guilty, pays a fine of £5. There you have it that a poor fisherman must pay a fine of \$50 for neglecting or refusing to give up his licence. The Director of Agriculture revokes his licence; under Section 2 the fisherman who allows any person not being the holder of a licence to go out to sea in a fishing boat for the purpose of fishing for gain, is fined \$5 and under Section 3 where he refuses or neglects to give up his licence he must pay a fine of \$50.

5.05 p.m.

If the Director of Agriculture revokes his licence and he cannot produce it, he has to pay \$50; but when a chauffeur is convicted for manslaughter and he does not carry in his licence he is not charged \$50. Are you making fun? If the hon. senior member for St. George or the hon. junior member for St. John was convicted for dangerous driving and did not produce his licence, he would not have to pay \$50, but if a fisherman fails to produce his licence after he is convicted he can be charged \$50. Besides that, how are you going to tell that a man is fishing for gain? Is the policeman going out on the shoal bank to check on these people? According to the preceding section a man without a licence can be convicted for fishing for gain, but what happens if he gives me all the fish for the Nightengale Home? Is that fishing for gain?

Mr. Chairman, I would be with the Government in formulating some laws for the purpose of gaining statistics because you would need these to go into the fishing industry; but if a man in charge of a fishing boat allows anybody to go aboard or if he employs them to go and fish for gain, is the Police Sergeant or Superintendent going on the shoal banks to prove that he is fishing for gain? This means that they will try to find means to convict him. I will draw to the Government's notice, Mr. Chairman, that there are some gentlemen with pleasure yachts who go out and fish and have no licences at all, but they sell more dolphin than you can imagine. Some of them are my friends; so you can write that down. Sometimes they give them to friends to sell, and you can ask the Premier this, although I do not mean that anybody has given the Premier. If they go into a school of dolphin and bring in a lot of them and get their friends to sell them, is that not fishing for gain? There are a lot of pleasure yachts from the Yacht Club that go out fishing and they bring in the fish and distribute them to their friends; they are not fishing for gain, but a fisherman who goes without a licence to the same banks

and catches fish is going to be convicted. If I buy a boat and carry out my colleagues to catch fish and send some to somebody to sell, that would not be fishing for gain; so I wonder what this section is for, because I am not required to have a licence at all.

Mr. Chairman, there should be some other means by which the Government can get statistics other than by this method. On the other hand, you say that if the man in charge of the boat does this, you make him pay \$5, but if he fails to produce his licence - it does not even say if he fails to produce or to give a reasonable excuse that he cannot produce - he can be further charged. This is what Section 3 says:

"When the Director revokes a licence in accordance with the provisions of this section, the revocation shall have effect from such date as the Director may direct, and thereupon the licence shall be given up and cancelled and any person refusing or neglecting to give up his licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars."

This does not give the Director any latitude in a proviso which says if he can give a reasonable excuse to the satisfaction of the Director, maybe that his boat got capsized or he drifted to St. Vincent three months ago and he does not now have his licence, so if he fails to produce it he can be fined \$50. What sort of legislation is this? I do not believe the hon. member read this. It says "the licence shall be given up and cancelled, and any person refusing or neglecting to give up his licence shall be guilty of an offence." Now you should add to that, "provided he can satisfy the Director with a reasonable excuse" which would give a tremendous amount of latitude.

Hon. D. D. GARNER: I think in fairness to the Committee the member should say "after conviction". This revocation only takes place after conviction.

Mr. MOTTLEY: Mr. Chairman, let me repeat what I have said. If a man is convicted under this Act for dynamiting fish, he is fined \$5, then the Director can ask him to produce his licence for cancellation. If the man goes in to the Director and cannot produce his licence, he can be fined \$50. (Hon. D. D. GARNER: Oh no.) Well, read it.

"The Director may revoke any licence issued by him under the provisions of section nine of this Act if he is satisfied, after giving the holder of the said licence an opportunity of being heard, that the said holder has been convicted of an offence under section nineteen of the Fisheries Regulation Act, 1904."

The Director can say: "You have been convicted; therefore I am taking away your licence." According to this Section, if you have been convicted your licence is automatically cancelled. If I have been convicted for reckless, dangerous driving as a chauffeur and my licence is cancelled or taken away, you do not put more money on me; but if a fisherman is found dynamiting fish in this section and is fined \$5, he has to submit his licence for cancellation to the Director of Agriculture or be fined \$50. Good God! What kind of penalty is that? Is a fisherman an outcast? I am not against you doing something to get statistics. You do not convict me or anybody else here who holds a driver's licence for a serious offence and put a further fine on me; you convict a person for dangerous driving and you cancel his licence for a number of years; but you come with this kind of monkey, pawpaw, stupid nonsense - either you produce your licence or you are fined \$50. For God's sake, why don't you legal luminaries get up and tell them this is wrong?

Hon. D. D. GARNER: On a point of order, from where is the hon. member reading? If I can read correctly, Section 4 (6) reads as follows:

Mr. MOTTLEY: We are dealing with Section 3; we have not got to Section 4 yet.
5.15 p.m.

Hon. D. D. GARNER: Read Section 4 (6).

Mr. MOTTLEY: We are dealing with Section 3.

Hon. D. D. GARNER: Clause 3 (2) reads as follows:-

"When the Director revokes a licence in accordance with the provisions of this section, the revocation shall have effect from such date as the Director may direct, and thereupon the licence shall be given up and cancelled, and any person refusing or neglecting to give up his licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars."

Mr. MOTTLEY: I know that I am right. I am not asking anybody this. If you want to say that something is wrong, say so. Let me read it again. I will go back to the beginning of the section. It reads as follows:-

"The principal Act is hereby amended by inserting immediately after section nine thereof, the following new section to be numbered 9A,"

I hope the Hon. Minister will follow me carefully in this. Do not believe that all your Crown Law Officers are right all the time.

"The Director may revoke any licence issued by him under the provisions of section nine of this Act if he is satisfied" (Note carefully the words "if he is satisfied") "after giving the holder of the said licence an opportunity of being heard" (in other words, he is to summon him before him) "that the said holder has been convicted of an offence under section nineteen of the Fisheries Regulation Act, 1904."

The first thing is that the Director can call him in after he has been convicted. I agree with the Hon. Minister and the Government in this. Let us blot out the dynamiting of fish. But let us read this section carefully. The Director can only call you in if you are convicted and I maintain that you are going to be convicted by a Police Magistrate in the same way as a chauffeur who holds a licence when he goes before a Police Magistrate.

Under sub-Section (2) which the Hon. Minister read, - and I will read it too - "When the Director revokes a licence in accordance with the provisions of this section" (provisions means if the man is convicted under section nine of this Act) "the revocation shall have effect from such date as the Director may direct". In other words, let us say that a man is reported for blowing up fish in St. Peter in the month of May and the case is actually heard in June. It is a fact that it does not reach the Director of Agriculture until August but the Director would say that the time for revocation is as from June. The subsection goes on to read thus: "and thereupon the licence shall be given up and cancelled."

My contention is that if you are going to convict a man at all and cancel his licence, as soon as he is convicted, why not cancel his licence because the Magistrate is not going to convict him and pat him on the shoulder? There are no two ways about it. I will take it away at the time of conviction. Let us say that he is convicted in June. He starts fishing again for a month or two after and then the Director calls him in and he loses his licence. That should not be so.

It goes on to say: "Any person refusing or neglecting to give up his licence shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$50."

The Hon. Minister of Agriculture has tried to read that in.

Hon. D. D. GARNER: Mr. Chairman, I rise on a point of order. I am not trying to read anything in.

Mr. MOTTLEY: I beg your pardon. I take that back. In other words, that last part means that he cannot come

before the Director of Agriculture until he is convicted by the Police Magistrate. Let the Hon. Minister say that that is not true.

Hon. D. D. GARNER: Of course, it is only when he is convicted that he comes before the Director of Agriculture. As a matter of fact, we do not want him there.

Mr. MOTTLEY: He cannot come before the Director until he is convicted by a Police Magistrate and this is the only bit of legislation that after a man gets convicted by a Police Magistrate, he goes somewhere else and gets his licence endorsed or cancelled.

Hon. D. D. GARNER: Mr. Chairman, I rise on a point of order. He must go before a Magistrate and be tried before he goes to the Director of Agriculture.

Mr. MOTTLEY: He has to go before three people for the same offence. Would you say, Mr. Chairman, that after a man is convicted for doing something and you are going to cancel his licence, he must go to somebody else for it to be cancelled? Cancel it there and then. Try him once. But you put him in the position that he goes before the Police Magistrate and then has to go to the Director.

The position is this. I do not expect you to see my point, although I have told you that I am not against your having a certain amount of authority in order to get your statistics. However, in this Clause you can say that you are processing legislation which must bring about a hardship on people. The licence costs nothing. The position is that you are going to convict him if he blows up fish. Why can you not say in the same breath, for the purpose of conviction under this, his licence can be cancelled. Do not let us try to mix it up. You are not treating people fairly by this. Let us say that I hold a licence for driving a car and am charged for reckless driving. Do you mean to say, as soon as a Police Magistrate convicts me for reckless driving, then the Director of Highways and Transport will call upon me to produce my licence and when he calls upon me and I fail to produce my licence, although I am already fined, let us say, \$10 by the Police Magistrate, that I am going to be hauled up again and fined \$50 for failing to produce the licence?

I am telling you this now. What the hon. senior member for St. Peter has said is correct. Fishermen are not Sunday School teachers. I throw out the idea of a person going out to sea and fishing for gain because I am yet to see your winning a case on this. You will have the devil's own job to prove when they take me in the boat that I am fishing for gain. The onus is going to be upon the prosecution to prove that the man is fishing for gain; so whoever has put this in here has put in a bunch of nonsense. 5.25 p.m.

I am telling the Hon. Minister that, as far as this part of Section 3 is concerned, I will not vote for it. I feel that this matter should not go to the Director of Agriculture at all; the issuing of the licence should be a matter for the particular Ministry. It costs you nothing to issue a licence; if a man is convicted you set up an authority through the Judiciary for cancelling his licence; why do you not say that in the case of every licenced chauffeur, as soon as he is convicted, the Magistrate should call upon him to produce his licence, and if he does not produce it, you will fine him \$50? The matter is as broad as it is long. If you are having the licence at all, let the Judiciary cancel such licence, but do not put the Director of Agriculture in this position.

Mr. Chairman, if, in order to drive a car, you had to go to the Director of Highways and Transport for a licence, some people would get back their licences and others would lose them; you can appeal from the Magistrate now because it is in the hands of the Magistrate. It is my considered opinion that a proviso should be added to this Section to read as follows: - "Provided always that the holder of the licence cannot give a reasonable excuse." Let us take it, for instance, that a licence was issued to a fisherman; he drifted to St. Vincent and lost his licence. But a week or two after he came up here, he was on the

rocks and he associated with people who used dynamite, I see that the hon. senior member for St. James is laughing at what I am saying. This man goes to catch fish, he has already lost his licence; he is considered before the Magistrate and he cannot produce this licence to the Director of Agriculture. I want to say that fishermen are not Sunday School Children. I cannot vote for this section. Subsection 9A (3) of this Section says this:-

"The decision of the Director to revoke a licence in accordance with the provisions of this section shall be final and conclusive."

It seems to me that, as far as formulating a policy for anything which the Director does is concerned, the Minister must carry the responsibility. If it is a question of foreclosing on the 700 people who owe you money in connection with boats and they have not been living up to their commitments, this question of foreclosing would be one of policy. I believe that the Minister of Agriculture would give a directive where foreclosing is concerned.

Mr. Chairman, my contention is that I do not agree with this method that the decision of the Director shall be final and conclusive, that the matter must go from the Court to the Director and he must have the final say in this matter. The fishermen should have an appeal to the Minister of Agriculture. I quite agree with anybody who says that he does not like to have that power of revocation placed in the hands of the Director whose decision is final. The Director may have before him a fisherman who cannot use the choicest of language or he may carry along a barracuda snout in his hand. Fishermen come down from St. Philip and they may not go back up. What licence are you carrying? A man is wearing an old policeman's pants and an old waist coat and he puts down his licence, it may be, at some woman's house and she refuses to give it up. I venture to say that more than 40% of the fishermen will either misplace or get rid of their licences, and, according to this Section, they have no right of appeal. What is the position if a fisherman goes before the Director of Agriculture and does not speak in the nicest of language? The Director does not like what he says, and the Director says: "We will get you before a Police Magistrate" and he is fined \$50. There is a fine of \$5 imposed on the boat owner and \$50 on the poor fishermen. All of that may happen by the time it gets to the Minister who might say: "This is nonsense; if a man says he has lost his licence, he has lost it, and you cannot prosecute him," or something like that.

5.35 p.m.

I have every reason to believe that that Minister would say, "well look, this is nonsense, you cannot prosecute this man for this.", but when will it reach him?

Mr. WALCOTT: I do not believe so.

Mr. MOTTLEY: And it does not matter if the man is from St. Lucy, Bridgetown or St. Andrew, that would be his attitude; he would not have to be from Marchfield. My argument is that by the time it reaches the Minister the man would have been convicted, he would be out of bread, and his wife and children would be starving, and then he would have all the red tape to get back his licence; therefore am I asking too much of the Minister?

I am moving therefore, Mr. Chairman, that further consideration of this particular section be postponed for the following reasons: (a) because you are saying that the Director can cancel the man's licence after he has been convicted, and (b) after his licence has been revoked and you have had several people to convict him, you are putting on a higher fine. You do not have to look around, Mr. Premier. You have the numbers to pass this, but I am discharging my conscience because when I say something I feel I am right. If everybody said something else and I felt they were right. I would say so; but I feel you should not put a man in such an embarrassing position. In as much as you do not require the driver of a motor car to submit his licence to the Director of Highways and Transport, I do not see why a fisherman should be brought before a Magistrate and be fined \$50 on summary con-

viction. You are too hard. You are worse than the Aubrey Williams - Hawkins regime. Do not let the Attorney General put this on you.

Mr. Chairman, I imagine hearing the Premier or the Minister of Trade if they were in the Opposition, and Mr. Keith Walcott was in power, and brought down a Regulation saying that every holder of a driver's licence after he has been convicted should for the purpose of cancellation submit his licence to the Director of Highways and Transport who could then have him prosecuted and fined \$50 for not doing so.

I beg to move that further consideration of this Section 3 be postponed.

Mr. BARROW: Mr. Chairman, I rise to second the motion made by the hon. senior member for the City, but between the hon. member and the Minister of Agriculture there does not appear to be at least a common dictionary of terms employed as to the true nature of each other's intention. I would not like to say that they do not understand the nature of the Bill. The Fisheries Regulation Act of 1904 which is not the Bill we are amending is one of the most interesting bits of legislation we have had on the Statute Book of Barbados, for the simple reason that it was comprehensive in its terms, it was practical in its application and in its intention. In that Act you will find that provision was made for the regulating of the sea egg season, for the regulating of turtle catching on the shore, and it was certainly one of the most comprehensive and intelligent codifications of maritime law, even in the provision with regard to the taking of whales.

If you came from St. Peter or in that part of the country from which I have sprung myself, which the hon. member on my right represents, you will know that there is a place called Mango Bay and the People's Bay which were big bathing stations, and in this Act of 1904 what they sought to do was not only to regulate the position of the Executive with fishermen, but the position between fishermen and whalers themselves. For instance in this Act of 1904, you will find - I know this is the 1952 Act we are amending but I am trying to give

Mr. CHAIRMAN: Are you dealing with Clause 3?

Mr. BARROW: I am, and for good reasons I have to outline this. You will find in this Act that they even said that if a person strikes a whale and another boat comes along and strikes another whale and the two lines cut across, the last fellow has to cut his line loose; that is good legislation. If the two participate in the capture of the whale, they should share the profits equally, but the whale should be dissected at the place of the person who struck first. That is encouraging and regulating the Fishing Industry, so that mutual understanding and no mistrust is between one owner and another or between the Government and a fishing boat or whaling boat; but recently, Mr. Chairman, we have had a plethora of legislation which is aimed solely at creating more criminal offences day after day, and placing members of the public in the hands of the Executive by making them have to go and ask personal favours of members of the Executive or the Ministers. No one, I think, is deceived here on this side of the House when we read that the Director of Agriculture under the new Constitutional instrument which is going to be drafted, which I understand has been drafted and will be presented in due course, will not automatically be the Minister. The Director of any public Department will be the Minister, and this is another one of the series of legislation which we have had coming before us, which is aimed purely at placing every member in this community in the hands of the Executive in the same way as in the old days when you had to go to the plantation owner and ask him for permission if you wanted to send your child down the road to buy three cents in biscuits.

Mr. Chairman, what you are doing now is making fishermen located workers; but I would like to point out to the hon. senior member for the City that he should not be misled by the Minister of Agriculture because this

particular Act and the penalties have nothing to do with so serious an offence as dynamiting; the offence has nothing to do with dynamiting, but concerns a man who allows somebody to go out in his boat to fish. The 1952 Act is in my opinion a very sensible bit of legislation - I think the hon. senior member for St. Peter was in charge of that Department at the time - and one which I myself personally supported at the time. What does the Act which we are trying to amend do? The Fishing Industry Act of 1952, if I may refer to it, makes this kind of provision: it made provision that fishing boats should be registered; there is nothing wrong with that.

Hon. D. D. GARNER: On a point of order, Mr. Chairman, I am glad that the hon. junior member for St. John referred to the hon. member for St. Peter, because I want to draw his attention to Section 16 of the 1952 Act which reads as follows:-

"If any person shall hinder, obstruct, molest or attempt to hinder, obstruct or molest the Fishery Officer or any Inspector in the performance of his duties under this Act, he shall be guilty of an offence against this Act, and shall be liable on summary conviction before a Police Magistrate to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment."

5.45 p.m.

Mr. BARROW: I am saying that dealing with Section 19, I supported that policy. What has that got to do with that I am talking? Mr. Chairman, I would like you to restrain hon. members rising on a point of order whenever they get a rush of blood in the head. That has absolutely nothing to do with what I am talking. As I have said, I have supported that Act. There is absolutely nothing wrong with that. I am talking about something different. Under the Transport Board Act, 1955, there is a fine of \$200 if any person gets in a bus and fights a conductor and is convicted for it.

Mr. CHAIRMAN: Will the hon. member stick to Clause 3 of this Bill.

Mr. BARROW: What I am trying to point out is that the Hon. Minister has said that this revocation has something to do with persons dynamiting fish. It has nothing to do with the dynamiting of fish. The enormity of the offence here is that the Director is supposed to revoke a fisherman's licence if he is convicted for allowing somebody to go out in his boat and fish without a licence. What I am pointing out is that this Act of 1952 was drafted in the same tradition as the Fisheries Regulation Act of 1904 because it makes provision for the registration of fishing boats and gives the Fishery Officer power to inspect fishing boats. It makes provision for fishermen to apply for licences and for a register to be kept of all licensed fishermen and makes it an offence to forge a certificate for registration or licence and, most important of all, makes it lawful for the Governor-in-Executive Committee to make loans for fishermen for the purpose of repairing or completing the construction of such fishing boat and for the purpose of purchasing material, gear or tackle for such fishing boats.

This is the Act which we are dealing with and I want to compare the provisions of the present section with the previous provisions which we have in legislation of this kind. Now, Section 15 gives power for regulations to be made, Section 16 imposes a penalty for obstructing the Fishery Officer in the performance of his duty and there is nothing wrong in that at all.

The Hon. Minister asks me about Section 19. It gives the Police Magistrate power to make investigations under Section 17 of this Act. I had better read it for you.

"The Police Magistrate making an investigation under Section seventeen of this Act may enquire into any charge of incompetency, negligence or misconduct, arising in the course of investigation, against any member of the crew of a fishing boat as well as into any charge of a wrongful act or default on their part causing any such loss, abandonment, stranding, damage or casualty."

Then sub-section 2 says:

"The Police Magistrate, if satisfied that any member of the crew of a fishing-boat has been guilty of incompetency, negligence, misconduct or a wrongful act or default, may suspend the licence of such member of the crew for such time as he may think fit and may also impose a penalty not exceeding one hundred and twenty dollars or imprisonment not exceeding three months or both such penalty and imprisonment."

Then sub-section 3 says:

"Every investigation shall be conducted in such manner that, if a charge is made against any person, that person shall have an opportunity of making a defence."

And sub-section 4 says:

"The Police Magistrate in inquiring into any charge of incompetency, negligence or misconduct against any member of the crew of a fishing boat shall apply the rules set out in the First Schedule to this Act."

Sub-section 1 says that the Police Magistrate may inquire into certain charges; sub-section 2, that he may suspend a licence or impose a fine; sub-section 3, talks of the opportunity for defence and subsection 4, the rules applicable.

Hon. D. D. GARNER: What is the fine?

Mr. BARROW: A fine of \$120.

Mr. CHAIRMAN: I would like the hon. member to get back to the Clause with which we are dealing.

Mr. BARROW: I am not worried over the fine at all. In the 19th century for stealing sheep, children used to be hanged. We are not talking of the fine. I am only pointing out that this is an enabling Act to give the Governor-in-Executive power to lend people money. The fine is to be not greater than \$120; therefore, it can be three shillings or \$1.50. The offences here are for abandoning fishing boats, stranding boats and so on. If you are dealing with the *quantum* of the offence, I am not talking about that. What I want to draw to the attention of the Committee is that this Act now goes beyond any legislation dealing with fisheries in this island. What this Act is saying is that everybody who goes out in a boat to fish must have a licence. All the previous legislation said was that you must apply for registration of the fishing boat; but now you must have, like a chauffeur, a driver's licence, and the offence for which they are depriving a man of his licence is not dynamiting fish. Up to today, in St. James, where this offence is most prevalent, people are convicted for this offence. This offence is most prevalent on the Leeward Coast. As a matter of fact, as a lawyer, I do not like to take cases of persons dynamiting fish or who are house-breakers. There are certain types of work which I do not like doing. I cannot remember defending a man for dynamiting fish, certainly not for the last five years. If it were life imprisonment for a person convicted of dynamiting fish, it would not put me out because if you talk to any of the scientists like those at the Bellairs Institute, you will see that the dynamiting of fish has more serious ramifications than you think.

Hon. D. D. GARNER: Mr. Chairman, I rise on a point of order. I hate to do it. The hon. member only ran through section 15.

Mr. BARROW: I only mentioned the marginal notes. I went from one section to another.

Hon. D. D. GARNER: I would like the hon. member to tell this Committee what section 15 says.

Mr. BARROW: Do it in your reply.

Hon. D. D. GARNER: I am up on a point of order. If you will not, I will do so now.

Mr. CHAIRMAN: There are two hon. members on their feet. (VOICES: Read it, read it.)

Mr. BARROW: Mr. Chairman, I must object. How can the Hon. Minister get up and say he is going to read section 15 and that is a point of order? I have made the last point of order. If he wants me to read section 15, I will read it.

Mr. WALCOTT: Mr. Chairman, I rise on a point of order. If the hon. member is not willing to read section 15, I am going to read sections 15, 17 and 19 and my point of reading them will be to show that if you read them, they have nothing to do with Clause 3, with which we are dealing. There is not such a thing as a licence mentioned under this Act. (VOICES: Read it, read it.)
5.55 p.m.

Mr. CHAIRMAN: I am appealing to hon. members to restrain themselves from that kind of shouting; nobody can hear what they are saying. What I understood is that the hon. junior member for St. John was making reference to this Section of the Act. If there is anything in that Section of the Act which has a bearing on the points he has made, then he will be allowed to read it. If it is not so, I suggest that the Hon. Minister should not read it because it will then not be a point of order.

Mr. WALCOTT: I rose on a point of order.

Mr. CHAIRMAN: The hon. junior member for St. Philip has risen on a point of order.

Mr. MOTTLEY: Mr. Chairman, on a point of order.

Mr. CHAIRMAN: There are three hon. members on the floor and will all three of them take their seats? I have already said that if this Section is in connection with the point at issue, the Minister will be allowed to read it. If it has no bearing on the point of issue then I rule that it will not be a point of order. The Hon. Minister assures me that it has a bearing on this Section.

Mr. WALCOTT: If the Hon. Minister has not read out anything to the Chamber before, he cannot be allowed to read something now on a point of order. A point of order would be something which he had read before and the hon. member had misquoted him; but if the Minister did not read it and the hon. member dealt with the 1952 Act, he cannot rise on a point of order and read the Act.

Mr. MOTTLEY and Mr. DOWDING rose to speak.

Mr. CHAIRMAN: The hon. senior member for St. George caught my eye first.

Mr. DOWDING: Mr. Chairman, in the hope of settling this issue, would you read the Section and decide whether it is right or wrong and then we can get along? I mean that you should read the Section to yourself.

Mr. MOTTLEY: On a point of order. I feel that the Minister should read it because it would appear as if you are hiding something.

Mr. BARROW: Whatever the hon. member's personal feelings are, I will not allow him to interrupt me. If he wants me to read the Section I will read it.

Mr. CHAIRMAN: May I settle this question once and for all? I have consulted the Clerk on this matter and he advises that the Section should not be read now, but that the Minister can reply to the point made by the hon. junior member for St. John.

Mr. BARROW: That is accepted with grace. I do not like this atmosphere being introduced into the debate because it may give the members of the public the impression that we are trying to do something wrong. I have not been asked to read Section 15 but I see that it gives the Governor-in-Executive Committee power to make regulations.

Mr. CHAIRMAN: That matter has been settled. I am asking the hon. member to get down to Clause 3.

Mr. BARROW: This is an amendment to the 1952 Act. Section 15 of the Act which they are so anxious to have read, reads like this: First of all, there is a marginal note "Governor-in-Executive Committee may make regulations"; it is on page 569 Chapter 23 and this is what the Section says.

"The Governor-in-Executive Committee may make regulations for carrying out the provisions of this Act and without prejudice to the generality of the foregoing any such regulations may provide for -

- (a) the form of licence to be issued to a fisherman;
- (b) the form of certificate of registration;
- (c) the particulars to be recorded in the register of fishing boats;
- (d) the form of advertisement to creditors;
- (e) the particulars to be set out in the application for a loan;
- (f) the terms and conditions on which loans shall be granted;
- (g) the fees to be charged for services;
- (h) the safety and welfare of men working in fishing boats or otherwise engaged in the fishing industry whether on their own behalf or as servants or employees of another person;
- (i) promoting and fostering the interest and welfare of the fishing industry in general."

That is the section which the Hon. Minister seems to have forgotten. It goes on:-

"(2) All regulations made under this Act shall be laid before both Houses of the Legislature as soon as may be after they are made and if within a period of forty days beginning with the day on which any such regulations are so laid before it either House of the Legislature resolves that the regulations be annulled, they shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of new regulations."

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

That appears in nearly every single Act where there is the power to make regulations.

Mr. MOTTLEY: On a point of order. Did the member read every thing? (ASIDE) Well, then, we will get on.

Mr. BARROW: Section 16 says this:-

"If any person shall hinder obstruct, molest or attempt to hinder, obstruct or molest the Fishery Officer or any Inspector in the performance of his duties under this Act, he shall be guilty of an offence against this Act, and shall be liable on summary conviction before a Police Magistrate to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment."

That is the Section which the Minister of Trade, Industry and Labour wanted me to read out, but there is nothing wrong with that.
6.05 p.m.

I still do not see anything wrong with that, but I see a lot wrong with this amendment.

Hon. M. E. COX: I said something was wrong because when that member referred to that Section he said it only dealt with registration, and there was a lot more than what he said.

Mr. BARROW: Mr. Chairman, I did not say "registration", I said "Regulations", but the hon. member obviously did not understand what I was saying.

Now in Section 17 of the Act you will find that when a fishing boat is lost, abandoned, stranded or materially

damaged at sea; or any fishing boat causes loss or material damage to any other fishing boat at sea; or by reason of any casualty happening to or on board any fishing boat at sea, loss of life ensues, the Police Magistrate of the parish in which it has occurred shall make an enquiry respecting the loss just as in the case of fire; and the penalty Clause following that makes it permissible for the Magistrate to enquire into these things; and if anyone during the course of investigation commits an offence, the Police Magistrate has power to make a fine. That is almost the whole Act because it only has 23 Sections dealing with the date of coming into operation, returns and so on and for assistance to be rendered.

Mr. Chairman, I am trying to demonstrate that the existing Fisheries legislation is reasonable, and all that is needed really to protect fishermen and to protect the Government in their loans and matters of that kind, and not the farrago of nonsense that has been presented to us and is being discussed here today in Section 3. The hon. senior member for the City was misled—I would not say deliberately—but mention was made during the course of the debate on this Bill when the House was in Committee by the Minister of the *rationale* of these fines and revocation of licences, and the member was misled into believing it has something to do with dynamiting of fish. All this Act that we are discussing deals with is that if you put your son or daughter or ox or ass or the stranger within your gates in a fishing boat and go out fishing with the intention of selling the fish, when you come back ashore the person who is engaged in holding the line tight, or helping you with the bait basket or tying the knot or whatever he might have been assisting in or cooking the food, is seized and therefore he is liable to be convicted by a Magistrate for doing so; then he is liable to be called up before another tribunal which I say will be the Minister and have his licence taken away for carrying somebody in his boat. Let this be the last time that "dynamite" is mentioned in this debate. That is done in the 1904 Act and the amendment we passed last week.

In Section 3, Mr. Chairman, first you go in the Court; you have taken somebody fishing for gain in your boat—at 4 o'clock when you were ready to shove off you took somebody off the beach and went out fishing. I am asking what process of detection they are going to use to discover these offences. Let us assume that they are going to equip the Police with high-speed boats like the ones going around on the shoal banks at London and they are going to ask the fellows to let them see their licences like a traffic cop. Once you come ashore you will receive a summons or be arrested, although I do not see any provision for arrest, and you are convicted and fined. The Director of Agriculture then calls you and says you have been a bad boy, you took out somebody fishing and he tells you he is going to take away your licence. This is where the Minister was right and put the hon. member off the straight and narrow path. They then call you back into Court if you do not give up your licence and fine you for failing to give the Director your licence; so you have three different processes for one little, simple misfeasance or default or whatever you feel to call it, just for having somebody in your boat who was not registered.

Mr. Chairman, my point is that this has nothing to do with fines and imprisonment, but is an attempt to undermine the rule of law and Parliamentary democracy and the liberties and rights of the subject. As I understand the situation in Barbados, there is an insufficiency of fish in this island; what fish we do catch in abundance is badly distributed and there is not a single day in the year in Barbados that all those people who would like to have fish can get some fish. That is the situation you should be trying to remedy. If you are going to encompass fishermen with a lot of red tape, you are going to discourage a lot of Sunday fishermen like myself and the hon. senior member for St. George from going out and trawling for bonitas. Some mornings I catch 36; do you want to tell me that I must throw them back into the sea? I used to give the Minister at one time, but I would not commit that folly again. Do you want to tell me that I must throw them back into the sea because if I leave them on the beach for a fisher-

man to distribute I would be guilty of an offence and would be called up before three people on three occasions for committing a breach: You are going to commit criminal offences day after day. Do you think that these amendments are made against the big people in this country? They are made against the small fisherman, and many a fisherman has to go and solicit the support of persons who are not normally fishermen to go out on his boat.

Now the whole point is this: You have to be called up before a Magistrate for failing to produce your licence or surrendering your licence to the Director of Agriculture, and that means that you make two appearances in the Court, and one before the Director of Agriculture. Suppose you say you lost your licence; what is the position then? According to this Section you are still liable to a fine of \$50 because you are not supposed to lose it. The Magistrate is not bound to believe you. What the senior member for the City, I think, was trying to point out was this: that for a conviction under the Motor Vehicles and Road Traffic Act of 1937, there is a category of offences for which the licence may be endorsed or for which the licence may be suspended, but that suspension is done in the Court at the time when the Magistrate makes the Order. If a man has been found in charge of a motor vehicle while under the influence of alcohol, the Magistrate says "you are disqualified from driving for a year or two years, and I instruct you now to hand over your licence to the Clerk of the Court for endorsement." (Hon. M. E. COX: Suppose he does not hand it over!) I do not argue law with laymen. The order is usually that you produce your licence within so many hours. A man wins a scholarship and goes away to Reading University or Macdonald and takes a B.Sc. in Agriculture; he goes to Uganda, Tanganyika, Trinidad, Jamaica and ends up in Barbados as Director of Agriculture, and you have him trying fishermen all day long, 6.15 p.m.

He cannot delegate his authority to any clerk in the office. After going through all that, what work can he do in his office? But you will get hon. members coming in the House and asking for a big salary for him because he probably is a Bachelor of Science. Yet, as soon as you bring him in, he is trying fishermen all day long for taking people out in a boat without a licence. We have reduced it to a complete farce. What the members of the Government are really trying to do is to put everybody in the hands of the Governor-in-Executive Committee. They are putting pickup owners out of work and they want everybody to come to them. Whatever you are doing, you must be caught in the dragnet; you must go and ask them for a favour and that is what is behind most of the legislation which you see coming up today. What you are doing is curtailment of the fundamental liberty of the subject. If you put a friend to help you fish and thus help the food problem of this island, and that friend is without a licence, you commit an offence and you will lose about three days work during the time that you are awaiting the hearing of the case; and then when you are convicted, you have to go and make a salaam to the Director of Agriculture and then go back down to the Magistrate and you get two convictions for criminal offences recorded against you for one thing.

That is what we are objecting to and I wish that public opinion in this country would make a "Crickle Down" scene out of legislation like this in this country. That is something which people in the United Kingdom do. They can accept a lot sometimes; but when legislation like this is continually foisted on them, they take a considerable hate to it. If the people were doing a good job, you would not have this nonsensical legislation coming down.

I am going to second the motion moved by the hon. senior member for the City that this Bill be postponed because I do not think the people are sufficiently aware that this is an infringement of their liberty.

Mr. DOWDING: Mr. Chairman, liberty and individualism have a high value and the fishermen of this little island have always been strong individualists and very much strong in their wish for liberty. I think, Sir, that in this Section, we should ascertain that nothing is done to take away the charter which has been reiterated as a result of two world wars from these fishermen.

Now, Sir, the Hon. Minister of Agriculture said that there were two sides to everything. I quite agree with that statement. One side of this question is that I believe fundamentally the Hon. Minister has good intentions to try to assist this industry, but the other side is that in practice, his advice and the method by which he is going about it in section 3 of this Bill, is completely and utterly beyond the capabilities of any Police Force or Inspectors to enforce.

Now, Sir, this particular section deals with revoking of licence and I want to find out what will be the position if a boat puts to sea with a number of "pot fishermen"; the boat is licence; but as regards the "pot fishermen" must they get a licence, or will those "pot fishermen" in that boat automatically be liable to action as laid down in this particular amendment?

Sir, the ramifications of fishermen are diverse. This is another case. If a boat pushes out to sea with occupants who are not registered for the purpose of dropping turtle net, is that another case for a fisherman's licence to be revoked? Then, Sir, we come to the sailing boat. Very often on evening times which is the usual time for the cavallies to get close to the shore when the plate fish are about to leave the shore, the people who go out to catch cavallies must have a boat for that purpose. They are all fishermen as far as I am concerned. What is the position as regards these persons? Is your licence to be revoked in that case?

Then there are boats that leave Oistin with as many as 30 grainers to go to Foul Bay for the purpose of fishing with a grain. I have seen a boat with as many as that number. According to this, every one of those grainers must have a licence, because bear in mind, all fishing is done for gain even if it is nothing more than gaining a bellyful. As I have said, these boats leave Oistin with as many as 30 grainers for Foul Bay. This would demonstrate the practical side of enforcing this law should it unfortunately become law. What might be a very good thing is if I recommended to this Committee that when the boat is licensed it should be licensed to carry so many people. Then you will ascertain that the boat is not overloaded and consequently, due to overloading, the boat sank. Now, Sir, is that a case for revoking a fisherman's licence?

Now, we come to sea-egging. It is better before the season to leave in a fishing boat and get dropped outside to catch sea-eggs because you will catch more than you get on the shore.

6.25 p.m.

That is very advisable, but as the season gets further on and the sea-eggs go further out in the sea and a fishing boat leaves with a number of people fishing for sea-eggs, is that a case for revoking a licence? When the jacks come near to the shore, hundreds of people of all sorts and ages will go fishing in fishing boats for gain by catching jacks. There is quite a good bit of money in catching jacks; I happen to know that because I am a fisherman myself, but I only cast a net. If we are going to have licences for the fishermen who are going out to sea, why not have licences for people who are fishing with nets? Why make fish out of the one and fowl out of another? What about the fishermen who get on their break-water and catch a number of fish for the purpose of selling them for bait? Why not include these too? Or the fellow who goes out lobstering and crabbing? They are all fishermen and you could go on like this over and over again.

What I cannot understand is this: There is something which will assist in the problem of dynamiting fish. Let me say here and now that I have seen the dynamiting of fish take place on more than one occasion; I have seen it and I have stopped it. The real, honest fisherman who goes out to sea is not the man involved in the dynamiting of fish in the majority of cases; therefore, how is the licensing of fishermen to assist in stopping the dynamiting of fish? If a fisherman who is going to fish for gain or ill-gotten gain must have a licence, that is futile. I cannot see the slightest possibility of having the dynamiting of fish stopped by what I see in this Bill. You should give

the policemen out-board motors and let them go off the coast and they will find the people who dynamite fish. There are those who dynamite fish all the time. I strongly object to the idea that the real, honest fisherman who goes out to sea, is the person who dynamites fish. I cannot see how this Section could assist in bringing the matter out of chaos, neither do I fully agree that the fishing industry which is an industry built up by men and their families over a period of years, can in any way be assisted by this Bill.

The Minister of Agriculture seems to be extremely dogmatic in his idea that these fishermen must be caught; that they must be shown that it is necessary to make people do things for their own benefit, and we are going into a new phase. I do not see how this legislation could be going into a new phase when it is impossible to put such legislation into operation. In my opinion, the intentions of the Minister are good, but in his fervour he is forgetting that it is better to lead people than to push them. I believe that what is intended here could be done in another way; I believe that the fishermen could be educated and taught by a voluntary system. I am wondering if it is not a matter of locking the stable after the horse has got outside because, as far as I know, the money which has gone, has gone already and you cannot get it back.

As to the idea that there is anything in this Bill which will make a man come in and pay money, I cannot see it. If a man borrows money, then I think his name and address must be known. I do not see why there should be the resort to this means of forcing fishermen into this new phase. I believe that the fishermen should be encouraged rather than have such restrictions placed on their activities as will be experienced by the provisions of this Bill. I do not agree that the fishing industry is in a chaotic condition; I agree that the lending situation is chaotic and that is so not only in the case of the fishing industry; but that is not the fault of the fishermen at all.

6.35 p.m.

If, Sir, we enter a new phase it should be without any implications that the fisherman is a type of man on whom you have to put a number and be certain that he can be convicted; that is the impression I get from this, and that impression does not strike me as the way to ascertain that we get a new fishing industry in this island with people well educated in the methods and brought in by encouragement rather than discouragement.

Finally, Sir, I want to say that I view with suspicion this idea of passing by the judiciary. To me that is one of the individual freedoms that should be most zealously guarded in this island, and no matter what happens to any man, woman or child he should have the facility of going before a Court of Law which has nothing whatsoever to do with politics. As soon as we start mixing up the Courts of Law with the Director of Agriculture and consequently the Minister of Agriculture, I feel Sir, that we are about also to cast doubt on the judiciary of this island. If there is to be any penalty, it should be decided 100% by the necessary channels of Law from the bottom to the top with every possible chance given to every single individual of having that right, and knowing that that has nothing to do with any Director of Agriculture or any other Director here, but that it is a matter for a Magistrate who has a duty to perform and a code to maintain.

Mr. Chairman, I cannot in any way agree with this. Frankly, Sir, it casts doubt in my opinion on the ability and honesty of men. I cannot support this Section, Sir, and I repeat that while there are two sides to every question and I believe in all honesty that the Minister has tried the method which he believes can work, I believe also that after hearing the debate in all fairness to the fishermen of this island he should either withdraw this and send it to a Select Committee for further consideration or postpone it *sine die*; in other words, leave it out for good. (Hon. M. E. COX: Amen.) That is the only word you learnt; you do not know the Lord's prayer but you know "Amen". Those are the implications which I have seen in the Bill, and I cannot in any way see how it is going to help with the prices, the average earnings or any of those things

which can be got by a completely different method rather than by enforcing legislation to a point where you more or less are saying that a fisherman is a dishonest man, and must have a number put on his back. I cannot look at it in that light and I hope the Minister will be able to review this matter in the light of fairness to all and not in the light of the impression he gave me that fishermen if necessary must suffer in order to have good done for them.

Hon. D. D. GARNER: Mr. Chairman, I do not think I shall be long but I am sorry if the hon. member got that impression. That is not the impression I gave, but nevertheless I do not want to detain this Committee much longer.

I am sorry that all the members now seated in their places were not here this morning when I spoke at length. Some came late and gave their opinion of what is before them, but if they had heard what I had said earlier, this Bill might not have been delayed so long. I am going to make a few points and I am going to begin as I began this morning. In 1959 questions were posed to me by the hon. senior member for St. Lucy, and one of the questions read as follows:-

"What steps if any has Government taken, since the introduction of powered fishing, to have fishermen instructed:

- (a) in the techniques of Tropical fishing.
- (b) in the seamanship necessary to offshore fishing including the rules of the road, aids to navigation, and
- (c) in the care and maintenance of boats, apart from the care of the engines?"

I was at pains to point out this morning that we did not know who the fishermen are. They are not registered or licensed and we do not know where they live.

Mr. BARROW: On a point of order, Mr. Chairman, the hon. member says that he does not know who the fishermen are, they are not licensed or registered. If he looks at Section 9 of the 1952 Act he will see that fishermen were licensed. He says that it was never carried out. Let me read it for him:

"Every person desirous of exercising the trade or calling of a fisherman shall apply for a licence from the Director....."

Under Section II the Director shall keep a register showing the names and addresses of the holder and the date of issue of such particulars. How can the hon. member say that he does not know who are fishermen in Barbados? This Act does not make it any clearer.

Mr. CHAIRMAN: Your point has been established.

Mr. BARROW: I think the hon. member would appreciate what I am saying.

Mr. CHAIRMAN: You have pointed out to him that there is in the Act provision for registration and the keeping of a register.

Mr. BARROW: One further point of order, Mr. Chairman, is that this Act we are discussing does not make provision for the licensing of fishermen but the people who go out with the fishermen and that is what we are complaining about.

Hon. D. D. GARNER: Mr. Chairman, I believe this will go on for a long time, but I want this Hon. Committee to know that this law was observed in the breach and therefore we have not got the facts which the hon. member asked for. When we have questions like these posed to us and we have to come and give oral replies, how do you expect us to get the information? Who are these people? Another question, No. 4/1960 asked by the hon. senior member for St. Lucy in January this year reads as follows:-

"Will the Minister state whether Government has ever taken steps to discover what are the average earnings of a normal fishing boat per season, as well as the average cost of maintenance and upkeep?"

Will the Minister further state whether the average boat is in a position to pay its annual instalment and insurance, and still be maintained in a seaworthy and economic condition in hull, machinery and gear?"

Mr. TUDOR: On a point of order, Mr. Chairman, do I understand the Minister to be implying that it is in consequence of questions I asked which he did not answer for about ten months that he is now bringing in this legislation?

Hon. D. D. GARNER: Mr. Chairman, I am only trying to explain to this Committee that there are questions which are posed from time to time and we must have the information, and in order to get the information, we can only see to it that these people are licensed. It is not just that either. I explained to this Committee fully this morning what we have in mind to do for the fishermen. We intend to institute a course of training; we have got to teach them something about diesel engines, care of boats, care of implements and care of the net. They must have training in all of these things.

6.45 p.m.

We do not know who the fishermen are. They are not registered. We may have a school for them. How must you know how many fishermen you have to cater to? The fishing boats are registered but the fishermen are not. (A VOICE: That is a shame.) I am rectifying that now. I can go on talking for another year on this. It is getting very near election time and at election time there is always this spirit. In their heart of hearts, members of the Opposition know that this Bill is all right. The public knows too but it is only a matter of their giving trouble.

Mr. MOTTLEY: Mr. Chairman, I just want to say that the Hon. Minister seems to think that we are opposed to this Bill.

Hon. M. E. COX: Mr. Chairman, I have to draw this to your attention. There is a motion made by the hon. senior member for the City and this motion has been seconded by the hon. junior member for St. John.

Mr. MOTTLEY: Therefore, I must take my coat off. Mr. Chairman, that is a criticism of you.

Hon. M. E. COX: I could not care less.

Mr. CHAIRMAN: May I be allowed to speak? The point of the hon. senior member for St. Michael was that the question which has been moved by the hon. senior member for the City and seconded by the hon. junior member for St. John has not been resolved. I would like to put the question but I must first hear the views of all hon. members who wish to say something on it. I too, am impressed that the remarks of the hon. senior member for St. Michael is a reflection on the Chair. Furthermore, he went on to make it worse by using other remarks. I am very much surprised to hear those remarks coming from him.

Mr. MOTTLEY: Thank you, Sir. Sometimes, I too say things which are out of order but I apologise to the Chair. When the Hon. Minister of Agriculture said that it was getting near election time and at election time there is always this spirit, that is not so as regards this matter. Conscientiously, I believe something is wrong with this Clause and I make no apologies to say that if I were in the Government and in the Minister's position, I would feel that a first-class point has been put forward and that there should be a postponement of dealing with the Clause. Do not take the criticism as anything personal. You are not charging for a licence. I, personally, feel that this is not the correct way to deal with this matter. I feel that you should have a register of fishermen. The hon. junior member for St. John has read the Act and has said that you have a right to register them. You in turn say that calling on them to register has not been complied with and

therefore, what you are doing in this Bill is something to make these people register.

I do not care who argues differently; if you are assisting fishermen from the point of view of lending them money, you must have a means of registering them. That is supporting the Government; that is strongly in your favour; but do not take umbrage because I say: "is this legislation to which you can agree?" You are lending fishermen money and as long as you are doing that, you must have statistics. To that I agree. But in the 1952 Act, you say that the Director of Agriculture must do this and that. You have said that up to now questions have been asked you and you cannot answer them because you do not know the number of fishermen; but do not say that the only way by which you can learn that is by passing an Act like this. If you like, do not postpone this; pass it. I have been in this House and I argued that the Town and Country Planning Bill which you had brought in the first instance was too stupendous for a little country like this but it was rail-roaded and passed. However, it did not see the light of day because it was pigeon-holed after it was passed. If the Attorney General has taken umbrage because an ordinary negro boy objected to him, let him take umbrage. I am surprised that you have accepted this as it is. You can have some other means to do it. Read this when you go home and see me another time when we are not rowing and I am sure that you will see that I am right. A person in charge of a fishing boat may not be a fisherman; he may be a diesel man.

Mr. CHAIRMAN: The hon. member is now dealing with Clause 2. We have passed that. We are now dealing with Clause 3.

Mr. MOTTLEY: Yes, Sir. Fishing boats have diesel engines. May I ask this question? If the fishing boats were the size of the "Investigator" would you say that? You are passing legislation dealing with fishing boats. Why I am moving that this Bill be postponed is because I want the Hon. Minister to study this Clause gain. What I want the Hon. Minister to believe is that I do not think anybody in here objects to the Government having a record of fishermen. I still say that you should have a record of them. It is not a question of the size of the penalty but what I am saying is that the way in which you have it drafted is most unsuitable for this colony. The hon. senior member for St. George made it clear. The Police are not going to prosecute him with three or four of his friends if they are out in a fishing boat because you are going to argue that he and his friends are not going out fishing for gain. Now, if he goes out and brings in fish worth \$10 and puts them in his refrigerator, is not that fishing for gain? 6.55 p.m.

Mr. Chairman, a number of people other than the ordinary, common, everyday people will benefit from this provision and the average fisherman will not benefit from it. You are penalising the fishermen. You can have people going down to the beach and one may decide that he is not going to sea and another goes out; my colleague has referred to this same matter. Fishermen will go fishing with a man in a boat; in times when there are a lot of seamen on the beach they go out fishing; youngsters go out fishing. Mr. Chairman, wait until I get to the next Section of this Bill and I will show you how badly it has been worded. The whole Section deals with what the Police Magistrate can do and what the Clerk can do. Somebody has asked: What will the Magistrate do? Well, the Magistrate will fine you so much and he will give an order for you to produce your licence within so many days; and the refusal to comply with that order is contempt of Court. If the Magistrate deals with the matter and he imposes a fine on you and orders you to produce your licence, I repeat that if you fail to do so that is contempt of court and there is a fine there. The Director of Agriculture will cancel the licence or he will make the Magistrate impose a fine of \$50.

Hon. D. D. GARNER: On a point of order. If the hon. member would just give way I should like to say this; I hate to carry on this debate, but if it were so that as soon as a fisherman is fined for committing some offence, the

Magistrate not only fines him but cancels his licence I would expect the hon. member to say that that would be harsh. But we do not say that; we say that if the man goes fishing again, then he may be called upon and his licence revoked. That is a far more liberal approach to the matter.

Mr. MOTTLEY: I believe every word that the hon. member says. As the Minister is dealing with this matter, he will do that; but that is not written in the law. The Law says what the Director of Agriculture will do; you are telling the Director of Agriculture what he should do.

At this stage, it now being 7 p.m., of the clock, Mr. SPEAKER resumed the Chair.

Mr. SPEAKER: It now being 7 p.m. of the clock, this sitting now stands suspended until 7.45 p.m. of the clock. This sitting now stands suspended.

On re-assembling,

BILL POSTPONED

Hon. M. E. COX: Mr. Speaker, I should like to inform the House that the Government is not prepared to continue any further with this Fishing Industry Bill tonight. I am therefore asking leave that the further consideration of this Bill be postponed and that Order No. 1 be taken as the next Order of the Day.

Mr. SPEAKER: The Hon. Leader of the House is asking leave to postpone the further consideration of this Bill and that Order No. 1 be taken as the next Order of the Day. Unless there be any objection, leave will be granted the Hon. Minister. *(After a pause,)* There being no objection, leave is granted.

COMMITTEE OF SUPPLY

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Leader of the House:— To move the House into Committee of Supply to consider the grants of sums of money for the service of the island.

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

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

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

Mr. SPEAKER left the Chair, and the House went into Committee of Supply, Mr. BRYAN being in the Chair.

PETROLEUM QUOTA PAYMENTS

Hon. M. E. COX: Mr. Chairman, this Resolution is a Resolution for the sum of \$7,972 under Head XXIX of the Estimates - Miscellaneous Services - and it is in connection with Petroleum Quota Payments. As hon. members will see, this amount of money is required to meet the Petroleum Quota Payments of land owners in the vicinity of Spring Vale Well No. 1. (Mr. TUDOR: There is only one landowner). Hon. members on the other side of the House seem to have more information than I have; I do not know if there is one landowner, two or three. (MEMBERS: All right.) I beg to move that this Resolution do now pass.

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

Mr. BARROW: Mr. Chairman, under the Act I do not think that this Committee could query the validation of this Resolution. There is only one thing that disturbs me and it is that they want this money for compensation for the owners of the Spring Vale Well; but there is only one person who is entitled to draw these royalties. I cannot swear to this, but the amount which the person has actually drawn already is more than the amount for which the Government has come down, up to 31st March, 1961. I have been hearing rumours that the royalties are rather

higher than the rates which are set out here. I do not know if 12% of the 75% written on the royalties collected by Spring Vale Plantation is more than what they set out here. If that is so, where is the deficit being made up? Can the hon. member explain the machinery of the Resolution? Of course, the principle behind the Resolution cannot be queried because it is all set out in the Act.

Hon. M.E. COX: Mr. Chairman, as far as I know, no monies have been paid out in respect of any royalties for anybody. As a matter of fact, they could not be paid because no provision was made either in the Estimates or elsewhere for these payments. If provision had been made, then it would have been unnecessary for us to come to the House to get this money. From our calculation as to the amount of royalty, hon. members will see in the Agreement that the royalty exceeds the rental of the property. (Mr. MOTTLEY: That is correct.) Then that rental is deducted from the royalty and the individual is paid the remainder. I would like to assure this Committee that no money has been paid out as yet.

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

7.50 p.m.

Hon. M. E. COX: Mr. Chairman, I beg to move that Your Honour do now report the passing of this Resolution in Committee.

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

The question was put and resolved in the affirmative without division, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. M. E. COX seconded in each case by the Hon. D. D. GARNER, the Resolution was read a first and second time and agreed to.

Hon. M. E. COX: I am asking leave, Mr. Speaker, to postpone Order No. 3 and take Order No. 4 as the next Order of the day.

Mr. SPEAKER: The Hon. Minister is asking leave to postpone Order No. 3 and to take Order No. 4 as the next Order of the Day, and unless there be any objection, leave will be granted.

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

THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (No. 12 ORDER) 1960

Mr. SPEAKER: Order No. 4 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) (No. 12) Order, 1960."

Hon. Dr. H. G. H. CUMMINS: Order No. 4, Sir, is in connection with the Clerk to the Superintendent of the Market. Since the opening of the new Market in Fairchild Street and the extension of the Cheapside Market, the work of this Officer has increased considerably; consequently with the increase in work an opportunity is taken to increase his salary. This question as to the relative amount which should be paid to him was referred to the Auditor General and the Accountant General for their review and also the Establishment Branch, and it was decided to increase it to the figures which now appear here - from \$1,632 to \$2,400 to a minimum of \$2,112 to \$2,880. He is now called the Superintendent's Deputy and his responsibility includes the keeping of accounts of revenue and expenditure of all the markets, not only those in town - the Fairchild Street and the Cheapside Markets - but also the Eagle Hall Fish Market.

As set out in the Addendum, the revenue and expenditure for the year 1956/57 were \$12,288 and \$51,334 respectively, and in the year 1960/61 the revenue was \$53,490 and expenditure \$107,999. The market facilities are still increasing and the Clerk's salary should bear

a closer relationship to the responsibilities which devolve upon him.

I beg to move that this Resolution do now pass.

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

Mr. TALMA: Mr. Speaker, I for one feel very pleased to see that at long last the service of this particular officer is being taken due notice of. This officer has been rendering very outstanding service to this Department for a long number of years, and for some reason or other - I am not really bringing tales out of school - his service and his real value have never been taken due notice of, to put it mildly. I speak on this matter as someone having an intimate knowledge of what I am saying, because most members will realise that I was in charge of this Department as Minister some years ago.

I feel, Sir, that this officer has been rendering very important service to this Government, and although on the face of it an increase is recommended here, I do not regard the proposed increase as going far enough when one considers the number of years' service. I would like the Minister when he is replying at a later stage to supply this House with some details of the duties and service of this particular officer. He has been in the employ of Government for over 20 years and he has always been wrongly graded, and I feel that now we are going to try and remedy the wrong which has been long persisted in, we should attempt doing it in a proper way, and to suggest that his maximum should be \$2,880 a year - \$240 a month - in itself is not doing justice to an officer like that with all those years' service and with little or no hope of being Superintendent of Markets, because in future the Superintendent of Markets would necessarily be a qualified Veterinary Officer because we had Dr. Stoute who was a Veterinary Surgeon and now we have Dr. Raeburn; so if we are looking for Veterinary Surgeons and Veterinary Officers to fill the top posts, it means that this officer should be out on a scale proportionate with that of a Senior Clerk in the regular Government Service, and I am not quite sure whether that is the scale. If this officer is to be on that scale you are not really doing enough for him; if he is given overtime, he should be given some sort of travelling because he has to travel from market to market to do certain checks; so this \$2,880 is not satisfactory at all.

Mr. Chairman, I feel that this Officer should receive at least \$300 a month and he should receive it right now. It is not a question of a salary scale; it is a question of giving him a substantial salary because he has all the intricate work of the Department to perform; he has all the books and accounts and written work to do; he is the man who keeps all the markets going, and I feel that this should be postponed and brought back in a proper form. If you are going to give him an increase and he proves himself competent after all these years' satisfactory service with no hope of promotion, do not treat him like that.

8.00 pm.

In these days, \$240 is no money. Do not fool yourself that you are doing a lot for him. You are treating him in a parsimonious manner, and like a yard boy. He already has many years' service - over twenty years. Do justice to him; postpone this and bring in a Resolution to pay him \$300 a month. We now have the Central Market at Fairchild Street, the market at Cheapside and several others, one at Eagle Hall Corner and we have Fish Markets also. All these are the result of the recent market reorganisation which the Hon. Minister of Agriculture is still continuing to implement but which I had started. This Officer certainly has more work to perform and he should be properly paid. Unless you pay him \$300 a month you are taking undue advantage of him.

Mr. MOTTLEY: Mr. Speaker, I would like to say this. If I speak before the Hon. Premier replies, it might lend some weight to what the last speaker has said. This is nothing personal as far as I am concerned. This Order

provides for the upgrading of the salary scale of the post of Clerk to the Superintendent, Markets, from \$1,632-\$2,400 to \$2,112-\$2,880. I believe the Executive must have studied this very carefully, but I still feel that it is my duty to draw certain things to your notice.

This officer besides being a Clerk holds the certificates of the Royal Society of Health. That in itself is a qualification besides the normal clerical duties which he has to perform and he has been in the service for a number of years. He was a Meat Inspector and I want to draw this to your attention. The work which he has to do is very responsible. What I would say for him, I would say for anybody. If this Officer had remained in the Service of the Public Health Inspectors, he would be receiving a salary which the Public Health Inspectors receive and that is \$280 a month.

This job which he is doing is deputy to the chief himself. On occasions, he has to deal with the slaughter of meat and if there is any question of diseased meat, he is trained in knowing it. The Hon. Premier knows that the Assistant Public Health Inspector of the Municipal area gets \$300 a month and their Public Health Inspector gets \$280. It is my considered opinion that this man possessing similar qualifications and with work of greater responsibility should get a greater salary now that you have a market of the size of that at Fairchild Street. It is my considered opinion that in your revising this salary and putting it at the maximum of \$240, it is glaringly low. If you were paying him on the basis that he is a senior man, he would be put in a different bracket.

We do not want to hold anything up. As the Hon. Premier will remember, when he was Minister of Health in the present Government, this matter came down before us and there was the idea of appointing someone from the Agricultural Department to be Deputy Superintendent and I drew to the attention of the House that you had people who possessed qualifications as against people who were pitchforked and who had to be sent out on training to do the job. The Hon. Minister then postponed the Resolution and this Assistant was allowed to act because he possessed the qualifications. I maintain that with the present salary scale which you have for Civil Servants, a person possessing the qualifications of this officer and who is responsible for money and who can turn from the clerical side and do the professional side, who is in the humble position of trust - I feel in revising this salary that you could have made it in the vicinity of £750 per annum, which is \$300 a month, which would be comparable with what he would have been getting if he had remained an Inspector of Health. I do not know if it can be done now. I do not think so because I know that all these things must be referred back to the Cabinet. Anyhow, Sir, that is my contribution to the matter and I hope that the Hon. Premier would give consideration to this, all things being equal. In my considered opinion if this officer went out and this job was created for a man who possessed the qualifications, clerical and so on, as this gentleman, I do not think it would be created below a salary of \$300 a month.

Before I sit, I would like to say this. I am sure that the Hon. Minister of Agriculture would like to answer this although I must confess that I was trying to get him and could not get him to ask him privately. He must have been very busy; perhaps he might be able to say something on it now. I remember two persons came to me telling me that they received instructions that all pickled meat must come out of the market by Sunday and some who could not get it out before found that their pickled meat was destroyed. Suppose the Hon. Minister can tell me why they have asked that pickled meat be removed from the market. As I have said, I tried to get him so as to ask him privately because I wanted to satisfy the people who asked me about it.

Hon. D. D. GARNER: Mr. Speaker, on that point, all I can tell the hon. member is that I have heard the rumour myself and it is now under investigation.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, in reply to the last two hon. members who spoke, I would like

to say that we, the Executive really do not regard ourselves as competent to assess the work of these officers. That is done by persons of the Establishment Branch who are competent and capable to do that work and when we have been told by them, "Well, we assess the duties of this officer as being comparable to this fellow over here", we are in duty bound to accept their recommendations.

8.10 pm.

As I said earlier, we do not know anything about it. If we went as far as trying to fight for a particular individual, well then, we know what would be said. One thing I would like to say is this: I will bear in mind this question of travelling; I do not know anything about it, as I say. However, I will bear the remarks which have been made by hon. members in mind.

The hon. senior member for the City referred to the professional duties. I know that this officer is a qualified Health Officer, but his duties do not include the inspection of carcasses; his duties are mainly keeping accounts of revenue and expenditure of all the markets and deputising for the Superintendent when it is necessary for him to do so.

Mr. MOTTLEY: On a point of order. How can he deputise for the Superintendent if he does not inspect the carcasses? If he is deputising for the Superintendent---

Hon. Dr. H. G. H. CUMMINS: These duties are administrative duties; they are not professional duties. The Minister of Agriculture says that when the Superintendent is out, or when he is otherwise engaged, this Officer acts administratively.

Mr. MOTTLEY: On a point of order. If this Officer acts as Deputy to the Superintendent and keeps the accounts (A MEMBER: He does not deal with the carcasses at all.) Well, who does the professional things then? It has been drawn to my attention that this Officer has to do administrative duties, plus duties in the slaughterhouse; I have only said what has been drawn to my attention.

Hon. Dr. H. G. H. CUMMINS: The Minister of Agriculture has said that a qualified inspector now does the inspection of carcasses.

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

RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (No. 11) ORDER.

Hon. M. E. COX: Mr. Speaker, the next Order, which is Order No. 5, is to move the third reading of a Bill to regulate the holding of land by aliens and companies under alien control. That Bill has been referred to a Select Committee of this House. The next Order which is a Bill to amend the Companies Act, 1910, is complementary to the Aliens Bill. Those Bills cannot therefore be proceed with, and I am therefore asking that Order No. 7 be taken as the next Order of the Day.

There being no objection, leave was granted.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, the Hon. Leader of the House has moved rather quickly, but it is not my intention to deal with this Order No. 7. It is my intention to ask leave at a later stage to withdraw that item from the Order Paper (*Cheers*.)

POOL BETTING DUTY BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier:- To move the second reading of a Bill to impose duty on bets made by way of pool betting and to provide for other matters incidental thereto or connected therewith.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, in connection with this Bill I think hon. members know that within recent years - I do not know very much about it and I do not know if hon. members on the other side can assist me; but there has grown up in our midst a form of gaming or betting known as pool betting. In other places, the

Government derives some revenue from this pool betting. In our case, this pool betting has reduced considerably the tickets sold by the Barbados Turf Club; and, as hon. members know, the Government does derive a fair amount of revenue from tickets sold by the Barbados Turf Club. I think it is to the extent of four cents per ticket.

I repeat that since this form of pool betting has grown up in our midst, the revenue from the sale of tickets by the Barbados Turf Club has been considerably reduced. So much is that so, that the Barbados Turf Club is finding things more difficult than it did formerly and again the Government feels greatly the loss of revenue which is derived from that source.
8.20 p.m.

In addition, Sir, I think it is well known that the Turf Club employs in the vicinity of 300 persons directly and we do not know how many indirectly who derive a source of livelihood from the Turf Club, and it is with the intention of recovering that lost revenue that the Government has been forced to consider a Bill of that sort. I think that hon. members will remember that in my Budget Speech in March, I made an announcement that Government was seriously considering introducing a Pool Betting Bill. Quite recently, Sir, Trinidad and British Guiana along with ourselves have been exhibiting some interest in controlling Pool Betting, so much so that within the last few months British Guiana has introduced and passed a Bill which is now on the Statute Book. I do not think Trinidad has got quite so far with hers, but there was a time not so very long ago when we were consulting each other, and maybe by now something has been done in the case of Trinidad.

Now this Pool Betting Bill which is before us, Sir, has been taken from the British Act and also the British Guiana Act. The main point in this Bill is that Clause 3 gives authority to raise, levy and collect the duty which will be called a "Pool Betting Duty" and is to be at the rate of 20% of the amount of the stake money paid. In British Guiana you deposit \$250, but we are not asking for any deposit by way of registration; in British Guiana \$250 is paid and then the rest of the duty is collected at either 10% or 15%; I think it is 10%.

Clause 3 also sets out who is to pay the duty. Now, Sir, as you will see from Clause 3, duty is paid, where the bets are made by means of a totalisator set up in the Island, by the person in the Island who is in charge of the totalisator; in other cases Sir, by the promotor or the agent, servant or other representative of the promotor who takes, receives or collects any bets in connection with the betting, and any bets so taken received or collected shall be treated for the purposes of this Act as stake money paid to the promoter and shall be liable to duty accordingly.

Clause 4 deems for the purpose of the Bill bets made on certain terms as bets made by way of pool betting. Clause 5 places the care and management of the duty on the Comptroller of Customs and it also provides for the payment of monies received as duty over to the Accountant General. That is, the Comptroller of Customs will take care of the management of this pool betting and he is required to do certain things by way of examining the books; the Accountant General, Sir, as I said, will look after registration and also examine the books of these Pool

Betting Companies. Clause 6 restricts the sending out of the Island of money and valuable things in connection with bets made by way of pool betting, and the Post Master General will be entrusted to see that there is no leakage through the Post Office. In fact, Sir, he will be required under warrant under the hand of the Governor to open any postal packet of which he is suspicious. Clauses 9 and 10 deal with penalties.

Mr. SPEAKER: The time is now 8.30 p.m. and the time of Interruption; at this stage I must inquire if this Bill is controversial. If it is, it cannot be proceeded further with at this Sitting.

Mr. TUDOR: It is controversial, Sir.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, at this stage, may I ask leave to withdraw Order No. 7 which stands on the Order Paper? It will be replaced very shortly by another Order.

Mr. TUDOR: Mr. Speaker, we do not object. We congratulate the hon. member on his foresight.

Mr. SPEAKER: The Hon. Minister is asking leave to withdraw Order No. 7 and unless there be any objection, leave will be granted.

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

Mr. SPEAKER: I have the honour to discharge the Select Committee appointed to consider and report on the Bill to Incorporate the Trustees of the Congregation of the Presentation Brothers in Barbados.
8.30 p.m.

Hon. M. E. COX: Mr. Speaker, I have been asked to ask whether hon. members will be willing to carry on with Order No. 3. Is that controversial?

Mr. TUDOR: It is very controversial.

Mr. BRANCKER: Mr. Speaker, there is hardly anything more controversial on the Order Paper than that to us, especially in the absence of any assurance which we would deem it worthwhile to accept that that would not result in further unemployment amongst Conductors or a reduced rate of pay to them on these buses because of the fact that they will be only making change. It is very controversial.

THE ADJOURNMENT

Hon. M. E. COX: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday next, 16th August, 1960, at 12 o'clock noon.

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

Mr. BRANCKER: Mr. Speaker, just before you put the question, I am asking that Order No. 15 of Private Members' Business which stands in my name be Order No. 2 of Private Members' Business.

The question that this House do now adjourn until Tuesday next, 16th August, 1960 at 12 o'clock noon was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.
8.35 p.m.