THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1962

HOUSE OF ASSEMBLY

Tuesday, 22nd January, 1963.

Pursuant to the adjournment, the House of Assembly met at 12 o'clock noon today.

PRESENT

His Honour J. E. T. BRANCKER, Q.C., *(Speaker);* Mr. L. E. SMITH, J.P.; Hon. C. E. TALMA, *(Minister of Agriculture, Lands and Fisheries);* Mr. S. E. SEALEY; Hon. G. G. FERGUSSON, *(Minister of Communications, Works and Housing);* Mr. W. R. COWARD; Mr. R. St.C. WEEKES, J.P.; Mr. W. R. LOWE; Mr. L. A. LYNCH, J.P.; and Mr. G. V. BATSON, *(Chairman of Committees).*

Prayers were read.

MINUTES

Mr. SPEAKER: The Minutes of the Meetings of the 20th and 27th November, and the 4th and 11th December, 1962, as well as of the 15th January, 1963, have been circulated, and if there is no objection, those Minutes will be confirmed.

Hearing no objection, I declare each of those Minutes duly confirmed.

PAPERS LAID

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Hon. Premier, I am commanded to lay the following:-

An Account of the Transactions in Rum in the Several Districts of the Island for the quarter ended 31st December, 1962.

Statement of Revenue and Expenditure of the Barbados Savings Bank for the half-year ended 30th June, 1962.

The Civil Establishment (General) (Amendment) Order, 1963.

On my own behalf, I am commanded to lay the following:-

Annual Report of the Department of Labour for the year 1960.

GOVERNMENT NOTICES

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Hon. Premier, I beg to give notice of the following:-

Resolution to approve the Order entitled "The Civil Establishment (General) (Amendment) (No.6) Order, 1962".

Resolution to approve the Order entitled "The Civil Establishment (Teachers) (Amendment) Order, 1962".

Resolution to approve the Order entitled "The Civil Establishment (General) (Amendment) Order, 1963".

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

Resolution to approve the grant by the Executive Committee of a tenancy to the Savannah Club of a parcel of land situate at the Garrison in the parish of Saint Michael, described in the Schedule thereto.

Hon. W. A. CRAWFORD: Mr. Speaker, on behalf of the Hon. Premier, I beg to give notice of the following:-

A Bill to enable certain persons who are not barristers or duly admitted and enrolled solicitors to be authorised to draw and prepare in the Island for gain instruments relating to real or personal property or to any legal proceeding; and for matters incidental thereto and connected therewith.

PRIVATE MEMBERS NOTICES

Mr. BATSON: Mr. Speaker, I beg to give notice of the following Resolution:-

WHEREAS there are several acres of land in this Island owned by absentee proprietors;

BE IT RESOLVED that Government acquire the said lands with a view to the division and sale thereof to such of the inhabitants of the Island as are desirous of purchasing same.

BILLS READ A FIRST TIME

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that a Bill to enable certain persons who are not barristers or duly admitted and enrolled solicitors to be authorised to draw and prepare in the Island for gain, instruments relating to real or personal property or to any legal proceeding; and for matters incidental thereto and connected therewith, be now read a first time.

Hon. G. G. FERGUSSON: I beg to second that.

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

Hon. W. A. CRAWFORD: Mr. Speaker, I should merely like to ask for permission to defer a Statement on behalf of the Government in respect of the passing of the late Leader of Her Majesty's loyal Opposition in the United Kingdom, Mr. Hugh Gaitskell. We propose with your and the House's permission to deal with this a little later in

today's Sitting rather than now, as is customary before the commencement of the Orders of the Day.

Mr. SPEAKER: As I understand the Hon. Leader of the House, he has now intimated that he proposes to crave the indulgence of the House later in the day to make reference to the passing of the late Mr. Hugh Gaitskell.

Hon. W. A. CRAWFORD: Precisely, Sir.

Mr. SPEAKER: The first Order of the Day stands in the name of the hon. senior member for St. Philip, the Leader of the Opposition, to move the House into Committee of Supply to consider the grant of sums of money for the services of the Island.
12.20 p.m.

COMMITTEE OF SUPPLY

Mr. SPEAKER: The First Order of the Day stands in the name of the Hon. Minister of Trade: To move the House into Committee of Supply to consider the grant of sums of money for the service of the Island.

Hon. W. A. CRAWFORD: I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

Hon. G. G. FERGUSSON: 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. BATSON in the Chair.

SUPPLEMENTARY ESTIMATES 1962-63 No. 32

HEAD 3 — LEGISLATURE

Head 3 — Legislature — was called.

Hon. W. A. CRAWFORD: I beg to move that Head 3 stand part.

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

Mr. WALCOTT: Mr. Chairman, according to this note it seeks to provide $120 for Refreshments. The note says: "Provision of $500 was made in the Current Estimates for refreshment for members of the Legislative Council. Due to the unexpectedly greater number of meetings of the Council during the year, this sum has proved inadequate and further provision of $120 is being sought for this vote to the end of the current financial year."

Mr. Chairman, at the last meeting of the House I made reference to the unfavourable circumstances under which members of the staff of the House of Assembly have to work and that brought a retort from the Government that it was not relevant to the issues which we were dealing with then, something with which I did not agree. But today, I would like to stress that when the circumstances which caused the members of the House to work the kind of hours which we worked, it was a time when other factors were known, such as provision of refreshments for members and the staff.

I am not making any request for personal refreshments but I would like to point out what is the basis for providing refreshments for members before. I know members of the Other Place are not remunerated for their services to the State and we regarded this provision as a small compensation for their services therefore we did not withdraw their refreshment vote.

However, Sir, I feel that the time has come when some review of the present circumstances taking place should be made in order that the life of the House and the amenities herein can be made more suitable for all of the servants of the House and in order that they may receive certain privileges. For example, there are certain officers who have to attend whether we are meeting or not and we have Your Honour the Speaker, Your Honour the Chairman and over and above, you have the servants, who have to sit through all the debates and remain until the House is finished.

I think that there should be some review of this matter by the House itself. I am one of those people who believe that no Government of the day has any right to be running the House. The House must be treated distinctly from the Government. The House is not a department of the Government; it is part of the Legislature; and all those members who do not understand the distinction between the House of Assembly and the Government, I would like to point out to them that the House of Assembly is an entity distinct in itself and any issue of the House should be dealt with by a House Committee. It is not a business of the Government. For example, you say to the members of the House or to the House of Assembly what we should do when we are in the House of Assembly. You say: this is our business. That is why I say that matters pertaining to the House, such as amenities of the House, is a matter for the House and that is why I feel that you should review these issues for the hours which we are now sitting.

Before refreshments for the members of the House were withdrawn, there was the situation that members of the staff got something to eat but now you have the situation where the Reporters have to be here at all times and they cannot go out and come back. Someone by law must be here at all times and we should review this matter in the light of the present circumstances and have appropriate arrangements made to suit them.

As I have said, you have His Honour the Speaker, the Marshal, the Officers and other members of the Staff and all these things operating. To give you an example as regards today's sitting, we can sit from now until 9.00 o'clock p.m. but there is nothing to allow you the opportunity, other than the 2.00 o'clock to 2.30 o'clock break, to go outside and have something to eat. After that break, the members of the staff will have to stay in here until we adjourn. Maybe, one of these days, we will bring in a Resolution asking the House to set up a Committee to review these circumstances in the light of the present circumstances.

I do not want anybody or any Government to say to the House of Assembly how it should be operated. I think it should be a clear distinction between the Government and the House just as there is a clear distinction between the Government and the Judiciary. Matters operating in here should be the business of members of the House only.

Mr. MOTTLEY: Mr. Chairman, I would not like the hon. member to think that he is singing a solo. I do agree that members of the Other Place are not paid therefore they should be provided with some form of refreshment. That argument can be used as regards them but a similar argument cannot be used as regards members of this House. I must confess last Tuesday when the hon. senior member for St. Peter used the argument, I could not agree with him. But by having this Resolution before us today, this gives us a real opportunity to discuss this matter. I do agree that you can only get the best out of people if you show them that you have some sympathy and feeling for them. I am not a Trade Unionist but I am a humane man.
12.30 p.m.

I am not a Trade Unionist from the point of view that I am not in charge of a Trade Union, but I am a humane man; therefore I am bound to say that if you work people over a number of hours they should be given an opportunity to get refreshed, otherwise they are bound to be disgruntled and feel that they are not being treated well. I quite agree with the hon. member who has just sat down; if it is the policy of the Government that hon. members are being paid and therefore they should pay for their lunch, I have no grudge about that. For the purposes of health I cannot partake in all the niceties which may be offered in the dining room and the hon. senior member for St.

Peter, many years ago objected to the policy of feeding members of this House when they are being paid salaries. If it is the policy of the Government that hon. members of this Chamber should pay for their meals, I am saying that somebody should have a canteen for the purpose of serving tea. Those of us who have travelled abroad realise what takes place in other places; there are places where you can get a cup of coffee, a cup of tea or something like that. It is not necessary to have roasted chicken or anything like that.

Mr. Chairman, I am not as long-winded as I used to be, but there is no telling when I will get long-winded as before. Sometimes the Reporters will say that they are very glad that the hon. senior member for the City is not in the House today. However, I think that the House should provide the necessities in the dining room just as the necessities are provided at Seawell. Some of us may have a cup of tea, some may have a whisky and soda and my friend the hon. senior member for St. Andrew may have a beer. If arrangements are made for that, then hon. members can acquire these things at their own expense. When the Clerks and the Reporters must go on continually here, I shudder at how well they are able to present the utterances which we make which are out of sequence at times. It does not matter to which University you went; if a Reporter were to present what we say as we say it – we are not like the gentlemen of the Cloth who are allowed to read things; we say what we have to say and we must be quick enough to be able to reply to what is said. Therefore, when the Reporters have got to sit here for all that length of time without the opportunity for getting refreshment, I agree with what the hon. senior member for St. Peter has said. A sound argument in respect of the Other Place is that they are not paid and therefore we can supply them with £500 for refreshments; we are paid and therefore we should pay for our refreshments, but somebody should have the organizing ability or the commonsense enough to provide some service as you have at Seawell. I may say that the dining room which you have down here is something like a pig's sty; you want to spend a couple of hundred dollars in order to provide a tea service for hon. members for which they will have to pay. I do not know how much hon. members get as salary. I live without it. *(ASIDES)*. I support my family and children without that. I came in here for an honour; I consider it to be a great honour to be elected to this House to make laws for our fellowmen. If I thought that the money would be the greatest thing, I could go outside and sell property. I could go outside and make money as I am a real estate broker; but I esteem it an honour to be elected here to make laws for my countrymen.

If you have a majority in Government then it is your duty to govern and govern as you think fit. If it is your policy not to put any money in the Estimates to provide refreshments, then that is your policy; but surely somebody should get down to this matter. Mr. Speaker, I am sorry, Mr. Chairman, even you feel a little peckish at times. You are a healthy looking man and I know you feel like eating at times. Some people blow out, but, Mr. Chairman, I know you like to eat; you are not mean in your stomach like some of us. In the circumstances, I will vote for this item and I ask the Government that if they are spending £500 in making the dining room into a proper place and providing percolators where people can get coffee and a good sandwich, none of us will object to that. It cannot cost us any more than $15 or $20 a month, but do not bring food to which we are not accustomed. Mr. Chairman, you can prepare venison here, but I will go home and get what is prescribed for me medically. Hon. members of the Government know, but they have not got the guts to say it, that proper arrangements should be made in this Chamber so that the Officers here should not be called upon to work for all of these long hours without the opportunity of getting refreshments. If we adjourn for half an hour the Staff or some of them live in Station Hill; they have to go by bus because they have not got any cars and before they can get back here the half hour has gone. Some of those hon. members over there have not got the courage to say what should be said and that is why I am not a good Party man. I will tell you what I feel; I will talk and I will talk as I like too. From the Trade Union point of view, whatever you think the Officers of this House, the Reporters, the Staff, His Honour the Speaker – all of them have to be here whether they like it or not. *(ASIDES)*. We have to say these things and say them often so that they might be inculcated and sink into the brains of hon. members.

12.40 p.m.

If it is your policy to take out the $10,000 provided for refreshment since people were making a racket of it, cut it out and use the money for something different; but if members are getting $220 a month and you have something proper in the dining room which is the property of the Government, they can go there and get refreshments. We will go and others will come, but the Legislature of Barbados will continue; so whatever you put there belongs to the people of Barbados, and if you put something proper there, the Reporters can go and spend a dollar and be refreshed and come back and work. No man can work hungry, because I know what it is to be hungry. I am not like some of the members of the last Government who as soon as they got $15 in their pocket and $25 in the Bank began to realise they were rich men and did not know what it was to be hungry. Nothing can change me because but for the grace of God I might have remained hungry and starving. If it is the policy of the Government that members should pay, I agree with that and I will vote with you on it, but it is time that you put something in that dining-room so that we can go and be refreshed at our own expense and the clerks can also be refreshed there, and that is where I agree with the hon. senior member for St. Peter.

Hon. W. A. CRAWFORD: May I say very briefly, Sir, that there are two aspects to this question? The first is with regard to the provision of refreshments for the Legislature. In so far as this branch of the Legislature is concerned, the established principle of the Government is not to provide refreshments. The other aspect concerns the Staff. Normally we have been meeting from 2.30 in the afternoon which means that you will have your lunch before you come, and then the Standing Orders provide for a break at 7 o'clock if we are going on in the evening. I will concede that the 7 o'clock break is not enough to permit the Staff to leave the premises and go any distance to get dinner, and as the hon. senior member for St. Peter has pointed out, whether the Standing Orders need amending or whether certain arrangments should be included with regard to the hours at which we start and adjourn and resume is within the powers of the House, and there is no reason at all why any member should not call on the House, and we would not resist the call, with the permission of the Speaker for a Committee to be set up to decide what amendments are necessary in order to provide any changes which may become imperative in consequence of the Government's decision not to provide refreshments.

It is a very easy matter, Mr. Chairman, and we are quite prepared to support any request on the part of any member of the House for a revision of the Standing Orders or Rules in order to provide more time during the Sessions. (Mr. MOTTLEY: Providing more time is not the solution.) If the accepted principle of the Government is not to provide refreshments, what else can we talk about?

Mr. MOTTLEY: On a point of order, it is not customary for the hon. member to pull a red herring across the trail. You have a table in the dining-room. Whose property is it? I agree that we should pay for what we want. The members of the Other Place are not being paid and therefore you provide this. I do not want you to have a rum-shop or anything like that for hon. members of this Chamber to go there and get half drunk, but you are the Government and therefore you must govern. It is your policy not to give members of this Chamber refreshments free of charge, and I say I agree with that as well as the hon. senior member for St. Peter. What we are saying, however, is this: I am not making this speech on behalf of the members of this House because I am, so to speak, the only invalid from the point of view of eating in this Chamber; so do not ask us to set up any Committee to change the hours. Do you think a Reporter can go to Bush Hall for dinner and get back in

time? He could, however, go in the dining-room if there was a proper canteen with somebody to cater and get a cup of tea, or he could go to the Oasis which might be more expensive. You could set up something there and call for some caterer as at Seawell to provide refreshments for the Staff. There is no member who, after being here for four or five hours, would not feel hungry. As far as I am concerned, I have my flask of milk in my car, and the Hon. Minister of Trade will tell you that when he took me to a conference and I felt hungry, I took out my flask and poured out milk and drank it, and when the Secretary said "point of order", I said "no, this is a point of health." I am not interested in what anybody tells me, and if you carried on in here for any length of time, I would drink my milk in here and see whether you could put me out of the House. It is a question of my health first. I did it at a conference and I would do it here. Neither the hon. senior member for St. Peter nor myself can oppose the Government's policy because we opposed it in the opposite direction at the time when the last Government was in power. We said that members should not be fed because they were getting paid; but we say now to provide the necessary service which remains the service of the country.

Mr. Chairman, the Hon. Premier has travelled extensively and knows that this kind of service is provided, but if you have to go to the Oasis where you have to pay $3, nobody is able to pay that. Somebody will pay $1.00 or go at Austin's for a rice and stew. We have to set the example. I do not mind eating a rice and stew or a pork chop when I go to a dance. Is that right, Mr. Chairman?

Mr. CHAIRMAN: I cannot help you there.

Hon. W. A. CRAWFORD: Mr. Chairman, the hon. member rose on a point of order and I gave way. As I said, the hon. member has conceded that the policy of the Government with regard to providing refreshments is correct. The only other argument therefore, is the question of making the necessary physical arrangements in the dining-room where people can be provided with food at their own expense, and that is no more than His Honour the Speaker and a Committee of the House can settle. This is peculiarly his province. They have to decide what arrangements they want made and whether they want a caterer, and I am sure the Government will not resist any proposals in this direction, so long as no expenditure of the Treasury is involved.

Mr. MOTTLEY: Do you mean to buy a coffee percolator, a hot plate and so on?
12.50 p.m.

The Government is prepared to provide basic equipment but it is not prepared to involve itself in any recurrent expenditure. The Government is prepared to set up the necessary physical service so as to enable members and the staff to avail themselves with the necessities for having refreshment when they have to attend meetings of the House.

Mr. MILLER: Mr. Chairman, what the Hon. Leader of the House is worried about is the basic equipment necessary but along with that you also must have cold storage and somebody outside of here to serve you. What we are worrying about is that the business of the House must go on and it should go on in a smooth manner. The majority of our meetings now start at 2.30 p.m. and end around 7.30 p.m.

I think that a simple method which would provide a solution is an additional reporter. He would be able to relieve the other three reporters so that they can go off for an hour which is sufficient time that they can go home and get a meal. At present, you are asking these men to take a 30-minute break and that is asking too much. I think it is decent of these men to be holding on as they are under these conditions.

If you provide the basic equipment, you will still have to think of a caterer, stores and so on. You want to be satisfied that enough will be there to pay a man for coming here and for paying the other expenses.

Looking back at last year's meeting, the majority of them have been held between 2.30 o'clock and 7'00 o'clock and I think the addition of one Reporter would provide the solution. By the addition, each of the other three Reporters would be able to have an hour off and that relief is indeed the primary need.

Mr. CORBIN: Mr. Chairman, we have been hearing of complaints of all the clerks and that they have not been given this and the other and I want to say this. This House meets once a week and I think that the hours of meeting should be arranged in such a way that we should meet at an earlier hour, have a longer adjournment and come back and finish. We can decide to meet at 10 o'clock and arrange a respectable time that each one of us can go back to our home and I think that we would do a good day's work if we do such a thing.

The last time, when the former Government was in operation, I came into the House and said that I thought that an injustice was taken of the taxpayers in that we gave one man $14,000 for selling refreshments in the House.

Mr. Chairman, I was in here for one year and nine months and refused to eat the food which was provided. Of course, I count myself to be one of the least of the Apostles and I think if I can do without meals in here, any member can do without. They give us sufficient money to feed ourselves, pay out travelling allowances and other things and I do not think any meals should be provided in here. Members can bring along a hot meal with them when they come here if they want it. They can bring along their lunch and go into the lunch room and partake of it. I see men who go to their offices in this city carrying along their lunch with them and partake of it at work and I am not going to be satisfied nor would I ever agree with anyone to provide any sum of money for providing meals for any member of the House or member of the staff, or for any such facility being granted to them. I will not be satisfied with this Government expensing the taxpayers with provision for that — not even one cent. We are getting sufficient to keep us and I am highly against any refreshment being provided for the different parties in the House.

Mr. SMITH: Mr. Chairman, you stood there and allowed the hon. senior member for St. Andrew to accuse members of this House on this matter.

Mr. CHAIRMAN: I did not allow the hon. member; it is his duty and right to speak.

Mr. SMITH: Sir, this Resolution does not concern hon. members of this House. Hon. members took the opportunity of raising their points with respect to members of the Staff and the facilities which they would like to be handed out to the staff. A lot of time was granted to them and the hon. senior member for St. Andrew got up and said that he will not do this and that.

Mr. CORBIN: Mr. Chairman, I rise on a point of order. I know it would shock the hon. member's modesty when I referred to the past Government. However, I was only building my point when I referred to the former Government. I only referred to the past Government to build my point. I have not had any victuals since I have been in here.

Mr. SMITH: Mr. Chairman, when the hon. member referred to his knowing he would shock my modesty, what is he talking about? He said that for the time he was in here he has not eaten anything. I only want him to answer me on this point: what caused him not to go inside the lunch room for anything to eat? I bet you that he would not tell this House but if he interferes with me, I will tell this House.

The question that Head 3 — Legislature — stand part, was put and resolved in the affirmative without division.

HEAD 4 — AUDITOR GENERAL

Head 4 — Auditor General — was called.

Hon. W. A. CRAWFORD: I beg to move that Head 4 — Auditor General — stand part.

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

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

HEAD 5 — JUDICIARY

Head 5 — Judiciary — was called

Hon. W. A. CRAWFORD: I beg to move that Head 5 — Judiciary — stand part.

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

Mr. CHAIRMAN: The question is that Head 5 stand part. Hon. members in favour will please say "Aye" and those against will please say "No". I think the "Ayes" have it.

Mr. SMITH: Mr. Chairman.....

Mr. CHAIRMAN: What is the hon. member speaking on? Head 5 is passed.

Mr. SMITH: I rose before you declared it.

Mr. CHAIRMAN: I have declared it already.

Mr. SMITH: Mr. Chairman, under Head 5, Judiciary, according to the note, Magistrates are no longer required by legislation to reside within the districts.

Hon. W. A. CRAWFORD: Mr. Chairman, that is under Head 4 and that has already been dealt with and passed.

Mr. SMITH: Mr. Chairman, that is under Head 5. The hon. member cannot read.

Hon. W. A. CRAWFORD: Mr. Chairman, if you look at the Resolution you will see that the matter to which the hon. member is referring is under Head 4.

Mr. MOTTLEY: Travelling allowance is under Head 5 and the Item under the Head refers to Note 4.

Mr. SMITH: They are always wrong over there. 1.00 p.m.

Mr. SMITH: Mr. Chairman, I am speaking.

Hon. C. E. TALMA: On a point of order. Head V of the Schedule has already been passed and if the hon. member were paying due attention to the business of the House he would have at least heard that. In the circumstances, the only proper course for him to adopt, if he has any proper contribution to make at this stage, would be to ask that this Head be re-committed. If the hon. member adopts that course my colleagues will be quite willing to let the matter be reviewed.

Mr. SMITH: You know to yourself, Mr. Chairman, that this Head was not passed. It was not declared.

Mr. CHAIRMAN: I think that the hon. member was a little late in getting up; but if the hon. member wants to re-commit this Head, that can be done very easily. I will allow the hon. member to speak.

Mr. WALCOTT: We cannot re-commit something which has not been passed. What happened was that the Chairman was putting the question and during the time that the question was being put, the hon. junior member for St. Joseph rose to speak. The motion was moved and seconded and when the Chairman was putting the question the hon. member rose and therefore the Head was not passed. Do not let us go over the facts; the hon. member was late but you cannot say that we must re-commit something which has not been passed. The question was not put for the Head to be voted on.

Hon. W. A. CRAWFORD: Mr. Chairman, I distinctly heard you say: "I think the 'Ayes' have it."

Mr. MOTTLEY: No, Sir.

Mr. MILLER: No, Sir.

Mr. SMITH: No, Sir.

Mr. MOTTLEY: Actually what happened is that the Chairman said: "The question is that....." and at that stage the hon. junior member for St. Joseph got up. I do not know what the Clerks have to say about that. I would say that the hon. junior member for St. Joseph was slow in getting up but the question was not put and passed. I myself intended to say something on the matter.

Mr. CHAIRMAN: I will hear the hon. junior member for St. Joseph.

Mr. SMITH: Note 4 of these Supplementary Estimates reads as follows:-

"Magistrates are no longer required by legislation to reside within the districts to which they have been assigned and are subject to frequent transfer, at short notice, from district to district. Under the circumstances travelling is rendered very inconvenient and it has accordingly been decided to pay a compensatory allowance to Magistrates, other than those stationed at District "A", as follows:-

District "B"	$300 p.a.
Other rural Districts	$480 p.a."

Mr. Chairman, before I say anything more on this matter, I would like to find out from the Hon. Minister in charge of this matter how long is it that the magistrates are not now required to reside within the districts to which they have been assigned.

Mr. MOTTLEY: Mr. Chairman, before the Hon. Minister replies, I should like to remind hon. members that it was I who raised this question on the last occasion because it was not clear to the Government what the position is. Now that it has been made clear, I am voting for it. The position was not made quite clear when the matter first came down here, but it is now clear that these magistrates are not any longer required to live in any particular district. I think that that is a very good thing and, as set out in this Note, it is proposed to pay compensatory allowance to magistrates other than those stationed at District "A" as follows:- District "B" $25 a month and other rural districts $40 a month. You will remember that I was worried over the changing of the matter of travelling allowance and paying a travelling rate for these people to go from their homes to their jobs. As we understand it today, you are paid travelling allowance as from the place from which you have to go to work to other jobs. Personally, I would like to have this explained: If an inspector is working at the Waterworks Department he does not get this allowance if he lives in St. John or St. Lucy or St. Michael; he does not get paid for the eight or ten miles which he has to travel in order to get to work. He is paid per mile for going out to work after he gets to work.

This is a question of transferring magistrates from place to place and I agree that it is not necessary to compel a magistrate to live in a district, because it is difficult for him to get a residence. This note here is worded differently from how it was worded on the last occasion. This is what the note says:-

"Magistrates are no longer required by legislation to reside within the districts to which they have been assigned and are subject to frequent transfer, at short notice, from district to district. Under the circumstances travelling is rendered very inconvenient and it has accordingly been decided to pay a compensatory allowance to Magistrates, other than those stationed at District "A", as follows:-

District "B"	$300 p.a.
Other rural Districts	$480 p.a."

On the last occasion, I could not agree with what was set out in the Note because that would mean that if a man lives in St. James he would be paid for going to the Pine, that is, he would be getting paid to go to work. That is not the policy of travelling allowance; the policy of travelling allowance is that you have to get to work and then you have to travel. You get to your work but then you are paid travelling allowance to get from the Audit Department, for instance, to go out to do your work. It is your duty to get to work, not that you are paid to get there. A magistrate at District "A" is not compelled to live at Dist."A". If he likes to live on the St. James sea coast then he has to get to work at Dist. "A" and if he lives in St. James he does the same amount of travelling as a magistrate who is living in Brittons Hill and is working at Dist. "B". The magistrate who lives in St. James and has to get to work at Dist. "A" does not get anything for that. How are you going to compensate a man who gets a house at "Wildey Gardens", for instance, and has to go to Dist. "B" to work? He gets $25 a month for travelling and therefore he gets less travelling than a man who chooses to live on the St. James coast and has to travel to Dist "A". He has to do more travelling than the man at Dist. "A".
1.10 p.m.

This makes it very difficult and it is going to cause some confusion. I am going to bet you that this will pass the House today because the Government has a majority, but this question is bound to be raised by magistrates. If you appoint a magistrate and he cannot find a house within the jurisdiction of District "A", you do not compel him to live there, and therefore he has more travelling to do. You are departing from a principle which has been established that travelling allowance for Officers is not paid to persons to get to work; it is paid to you for going from your headquarters to wherever your job is, whether at the Post Office or the Public Works; but according to this, you are paying magistrates an allowance to get to their job. This is bound to cause confusion in the Civil Service. I will ask the Hon. Minister to give us a thorough explanation on a matter of this nature.

Mr. COWARD: Mr. Chairman, referring to Head 5, Item 34, I am very pleased to support this Item of a staunch amount for magistrates' travelling. I feel when this matter is gone into, it will be found reasonable; but what I would like to know is whether there is a fixed amount being paid to the clerks at the Courts, and if there is a fixed amount, I would like to suggest to the Hon. Premier that both the clerks and magistrates who have to travel to District "F" and Belleplaine should be given at least $60 per annum more than what is given to the others. I know, Mr. Chairman, that this House cannot make any increases, but I will ask the Hon. Premier to go a little further into this matter. I think the Hon. Premier himself will realise that when he was practising his profession, he always found it more difficult to get to District "F" and Belleplaine than to any of the other courts in the rural areas. As a concessionaire who operates buses under the hill Mr. Chairman, I know it calls for extra expense, and that is why I feel that some consideration should be given to those clerks and magistrates who have to travel in difficult places such as Belleplaine and District "F". I knew it happened in the past that when police officers committed an offence, they would always be transferred to Belleplaine or District "F" as a means of punishment, but I cannot say that the clerks and magistrates are being pushed there to be punished, because somebody must work there. I feel that some consideration should be given to the travelling they have to do in such difficult places as Belleplaine and District "F".

Mr. SMITH: Mr. Chairman, I asked the Hon. Minister if he could inform me how long the magistrates were compelled not to live in the district. I should like that information before I begin to speak on the Resolution.

Hon. W. A. CRAWFORD: The hon. member has enquired as to the actual date when the Legislature no longer required magistrates to reside in the district became effective. The actual Bill was in 1956 and the period of operation 1958.

Mr. SMITH: Mr. Chairman, my reason for asking that is because I know that from the time I was a child, no magistrate ever lived in St. Joseph or St. Andrew. In fact since the time of Frank Reece and Magistrate Roach, no magistrate ever lived in the district, and if these magistrates were finding their way to District "F" without compensatory allowances, what is to prevent the present magistrates from going there? If the magistrates' salaries are not adequate, you should increase them to suit and not come here and tell us about compensatory this and compensatory that, when the magistrates never lived there at all. You are not considering the Magistrates of District "A" but Magistrate Worrell lives at Bathsheba and has to find himself at District "A" in the City to work, though he is not getting compensation. What are you going to pay this for? Imagine too that you are not paying a magistrate at District "B" as much as you are paying the others. Suppose the District "B" magistrate lives in St. Lucy; he still has to get there on less than what may be paid to a magistrate living in Rock Hall near to St. Thomas Station.

Mr. Chairman, a magistrate can live where he likes now, and if he cares to move to Rock Hall next door to St. Thomas Station, he would still draw $480. Or if he decides to live at Bissex he would be getting $480; but Magistrate Worrell who lives at Bathsheba and has to come to town daily gets no allowance. This thing is confusing and unfair and magistrates are not going to be satisfied with it. If I am a layman and can see that, I am sure they have seen this long ago, and it is not going to work so well. I do not know who is responsible for this Resolution, but it cannot work; it is unfair and unjust. My colleague raised another point. You are paying $480 flat, but a magistrate who has to work in St. Andrew or at Bissex has to pay more to get there. You are not losing anything by the magistrates today because if you take up a newspaper you will see that if a man blows his horn once too much he has to pay $50; but with this operating, you are bound to lose because if I were a magistrate, I would not care what I did. You are handling them like 10-cent boys, and it is not fair. I am not voting for this as it stands.

Mr. MOTTLEY: Mr. Chairman, I think when I spoke on the last occasion that I made the suggestion that I believed that the persons responsible for this meant well by suggesting that magistrates are no longer compelled or required to live in the districts. Originally for instance, you gave the Chief Clerks a house allowance, but there are some questions that are unanswerable and you cannot get out of this. Mr. Worrell who is a magistrate now transferred to District "A" lives at Bathsheba, and no one over there can deny that. He does not just go to Bathsheba, he lives there, and according to this, this allowance is for magistrates other than those stationed at District "A". In other words, what you are doing is paying magistrates to get to their jobs. You have decided to move a magistrate every three months, and as such he may be at District "E" for three months and at District "B" for another three months and there is this difficulty in getting to these places where the magistrates do not live in the district. What the hon. junior member for St. Joseph has said is correct. I did not cite Mr. Worrell's case, but his home is in St. Joseph, and if his home is in Bathsheba and he has to come to District "A", he is not going to draw one cent for coming there.
1.20 p.m.

But the man who lives quite near to the Court, other than District "A", he will get this allowance, therefore it seems to me as if you are going to cause some confusion. If the policy of the Government is to have some sort of travelling allowance being given to these magistrates then I say that all should have it. I agree with your policy of moving them around so that each of them would get the opportunity of seeing what is to be done in all the districts.

Let us take a Magistrate appointed at District "A" and lives at Bathsheba. It is easier for him to get to District "F" than to get at District "A". Let us take a Magistrate like Mr. Talma when he was a Magistrate of District "A".

He lives in Christ Church and it was easier for him to get to District "B" Court than to get down to District "A". If he had to go across to District "B", he would do less travelling than when he came to District "A". As you have it here, although that is the case, he will not get it for travelling to "A". It is therefore my considered opinion that you should include all. Let us take Mr. Worrell whose home is in Bathsheba and he is told to come to District "A" but somebody else who lives quite near to Holetown is asked to go to Holetown. If you have to get to Holetown and you only have to travel two miles you will get $40 a month and if you do not live near District "A" and have to travel to get to District "A", you will receive nothing. If you live on the St. James Coast near where the Speaker lives and have to go to Holetown Court, you will get $40 a month but if you live at Bathsheba and have to come to a District "A" Court you cannot get it.

I think the Government should give this matter more thought, or the secretaries, or the association or whoever had anything to do with it. Outside of that fact, I maintain that you are going to break away from the established principle of paying the officer who has travelling to do, not from his home to his office but when he has to go out to deal with cases. I understand that at present a coroner gets travelling allowance, not because he lives in St. Lawrence and has to go to District "A" or District "B" but in the case that there is an accident in his district and he must visit the site and so on. It is not travelling allowance to his place of business but it is travelling allowance because he has to go to a place where the police would point out to him. There is nowhere in the history of the Laws of Barbados that I find your paying travelling for any officer to get to his job and that is what I do not understand of this matter. I counsel the Hon. Minister before he passes this to give it more thought. On principle, I do not see how I can give it the necessary support. I do not object to the feeling of the Government on the recommendation of the responsible authority that Magistrates should be changed around and if it is the idea of giving them travelling then I do not see how you can make flesh of one and fowl of the other. You do not now compel Magistrates to live in a district so you do not compel a Magistrate who works at District "A" to live in St. Michael. A Magistrate can live wherever he likes but the man who works at District "A" will not get this allowance but if he works at District "B" he will get $360 per annum and at any other District Court he gets $480 per annum. This does not make sense; I do not care who prepared it. You do not compel any Magistrate to live within the jurisdiction of where he works but if you live within the jurisdiction of District "B", you can get a travelling allowance if you are called upon to work at District "B" and if you do not live within the jurisdiction of District "A" but have to travel to District "A" you cannot get a travelling allowance. I would like to hear the present Government if they were in the Opposition on this. They would really rant on it.

Mr. Chairman, I cannot support this. I do not see how I can vote for it. According to the note, you say: "Magistrates are no longer required by legislation to reside within the districts to which they have been assigned and are subject to frequent transfer, at short notice, from district to district. Under the circumstances travelling is rendered very inconvenient and it has accordingly been decided to pay a compensatory allowance to Magistrates, other than those stationed at District "A", as follows:- District "B" $300 per annum; other rural districts, $480 per annum."

You do not compel a Magistrate to live in the district which he works but let us say a Magistrate does not live in District "A" but is called upon to work at District "A". He gets no travelling allowance. This affects four Magistrates. They will not get anything. Sir, I will not support this.

Mr. MILLER: Mr. Chairman, I think these things need a little more consideration and the Government should be willing to adjourn further discussion on this matter. I do not agree that a Magistrate living in Bathsheba and who has to work in District "A" should get less. I do not agree with the argument that it is possible that he can benefit more by living in the rural district.

I think this needs further consideration and I suggest that you hold off debate on it and give it further thought. Let us suppose that a Magistrate lives within a mile of a rural district which he is called upon to go to. He gets $480 per annum. Now, let us take one who lives in Christ Church and has to go to District "A". He gets nothing. Let us take one who lives four miles from District "B" and has to go there. He gets $360 per annum while if he had to go to another rural district he would get $480 per annum. That is a difference of $120 and he may have an additional three miles to travel each day.

Mr. Chairman, I feel that some more examination should be given to this matter and I suggest that further consideration of the Bill be postponed.

1.30 p.m.

I still feel that this would call for some more examination and I would suggest that the Hon. Minister should just curtail further debate on the matter in order to give it some more thought. I do not agree that, because an officer is working in St. Michael and elects to live in St. Joseph because he wants to enjoy the ozone down there, he should get more allowance. I certainly do not agree with that. I am suggesting that the Hon. Minister should give this matter some further consideration and see if he cannot work out a better solution. If you are operating from 4, 5, or 15 miles away you will get compensation for the mileage which you actually travel.

Mr. WALCOTT: Mr. Chairman, I go by the use of words. What is the meaning of the word "compensatory?" What was there originally that you are taking away? The word "compensatory" connotes that there is an allowance in lieu of something that these people had before; whether it is travelling or some benefit you are compensating them for something which they had originally. We want to know what is it that they had originally for which you are now compensating them. This compensatory allowance means that there was a right or privilege which they did not have before. Is it that you have withdrawn or are withdrawing house allowance and you are giving these officers something in lieu of house allowance? This term "compensatory allowance" means that you are providing these people with something with which you did not hitherto provide them.

Hon. E. W. BARROW: Mr. Chairman, when I listen to the remarks of the hon. senior member for the City, sometimes I wonder why he has to ask a question 27 times and make a statement 49 times; but after listening to this debate, I realise that the only difficulty is that members of the Government do not repeat themselves often enough so that it manages to seep into the consciences of the members on the other side. Anything I say here now I believe it has not been said often enough and therefore I will try and see if I can make any impression on the members of the other side. If we were to go back to the Police Magistrates Act 1905 Chapter 5, at page 597 of Volume 2 of the laws of Barbados, we will see that there is a requirement in Section 6 (1) that the Police Magistrates of the several Districts shall reside within the limits of their respective districts.

I remember last Tuesday that the observation was made that there was a great deal of difficulty in getting even doctors who are parochial medical officers to reside within the physical limits of the parishes to which they are appointed, although they are so required by the terms and conditions of their appointments. Hon. members have made reference to the fact that several Police Magistrates with the exception of two have not been living within their jurisdiction and do you necessarily have to give a detailed explanation of that? Sub-section (2) of the same Section 6 states this:-

"Notwithstanding the provisions of subsection (1) of this section if any Police Magistrate can satisfy the Governor that he is unable to obtain a suitable residence within his District, the Governor may permit such Police Magistrate to reside at any place which is within a reasonable distance from the Police Station of his District, subject

always to the right of the Governor to withdraw such permission at any time."

By virtue of subsection (2) of section 6 of this Act 1905 Chapter 5, the onus was on the magistrate to say to the Officer administering the Government that it was difficult for him to find a suitable house or residence within his district, and the Governor would then give the Magistrate a dispensation to live outside the magisterial district provided that it was within a reasonable distance from the district. Therefore, the concession was made to the Magistrate allowing him to reside outside the district. Due to the fact that there were houses erected around St. Michael and Christ Church of a certain standard and the slump in the building development in the rural areas, perhaps there were only two magistrates in Dist. "A' who were residing out of the district to which they were appointed and there was no question of a compensatory allowance.

Mr. Chairman, if you look at the note to this item, you will see that the gravamen of the case being advanced today is that magistrates are subjected to removal very frequently. A magistrate lived outside the district although that magistrate was appointed as the magistrate of that district. Today under the Magistrates' Jurisdiction and Procedure Act, magistrates are now appointed on the warrant of the Governor to be magistrates of this island. If the case ended there, you could say that they are appointed and therefore we should not pay them any allowance to go to their work; but the whole gravamen of the submission of the hon. senior member for St. Philip and the explanation in the Addendum to the Resolution is that the magistrates are no longer required by legislation to reside within the district to which they have been assigned and they are subject to frequent transfer at short notice from district to district. If you were to listen to the speeches made by hon. members, you would think that some injustice was being done to the magistrates and that could only spring from a lack of consideration before legislation is brought to this House. Whether it be an association of a group of officers, Heads of Departments, or establishment and personnel, every single paper dealing with establishment or with any matter relating to allowances and conditions of service is referred to persons, in this case, to the Registrar and the Chief Justice, the Chief Personnel Officer, the Establishment Officer and finally to the Finance Ministry. When it comes to the Ministry of Finance, having considered all the different opinions which have been advanced, we arrive at a conclusion recommended by the Establishment invariably, or we amend the Establishment recommendation and we come to the Cabinet with it and then to the House. Therefore, it is not a question of any injustice being done to these officers; I would not say that the magistrates have recommended this allowance but this is the best compromise at which we could arrive after considering all the circumstances.

1.40 p.m.

Now in order to safeguard the principle that a man should not be paid to travel to his job, we have introduced a system of these special allowances. In the first Addendum when the matter was before the House, hon. members queried why it should come under Travelling if it was a Station allowance, because the Addendum said that it has been decided to pay each person performing the duties of magistrate at any District Court other than District "A" a station allowance at the following rate; District "A" $300 per annum and other rural districts $480 per annum $25 and $40 a month respectively. Now, Sir, the wording of that Addendum was rather unfortunate, I agree, and therefore we took it back and brought in a different Addendum altogether with the same basic rates of allowance set out to try to make the position clearer to hon. members, and in this Addendum now, we have stated exactly what I have reiterated, what the Hon. Leader of the House has stated and what the Addendum itself shows that magistrates are not required to live in their districts; but this is a most important aspect of the matter. The magistrates are subject to frequent transfer at short notice, and I am informing hon. members that they are subject to transfer now almost on a monthly basis; so you cannot fix an allowance which is peculiar to a magistrate because he is living in St. Joseph and working in St. Michael, as that same magistrate who is living in St. Joseph and now working in St. Michael next month may be working in St. Joseph, and therefore you cannot fix a travelling allowance which is peculiar to the magistrate, but you fix a travelling allowance which is peculiar to the magisterial district. Rather than have eleven different scales, we have tried to strike a sort of happy medium in which we have calculated all the distances from a basing point and worked out the average on that basis.

Now, Sir, a further question remains to be answered as to why District "A" should be chosen as the basing point. It is for the simple reason that in District "A" you have every single day of the week, I think, no less than four magistrates working, and in normal circumstances in the Government Service, the Headquarters of the magistrates would be at District "A". The Headquarters of the Government Service is in District "A", and we have found that most of the magistrates live within District "A", therefore we have used District "A" as the hub of the wheel, and the different stations radiate as they actually do on the map or as spokes of the wheel of the other magisterial districts. Housing being more readily available in District "A", we have found by experience, and as a matter of fact, I go so far as to say that right now there is only, as far as I can remember, one magistrate living outside of District "A" probably out of eight or nine or more, therefore we used District "A" as the basing point and say District "B" should be subject to a smaller allowance than that given to the other magisterial districts. The hon. junior member for St. George raised the point that Holetown is only two or three miles farther away from District "B", but what the hon. member seems to have overlooked is that the magistrate at Holetown has to go to St. Peter two days a week, therefore we cannot say that a man is paid $480 a month for going two extra miles because he only goes to Holetown two days a week. He has to go to St. Peter on two other days of the week; so for four days a week that magistrate works. The magistrate at District "B" works every day. The two members for St. Joseph talked about the great difficulties and hardships which prevail in their constituency in Bissex Hill and St. Andrew respectively, but when you come to these two parishes, you will find out that they do not hold Court at District "F", Bissex Hill, every day or at St. Andrew every day. There again, the magistrates work two days at each of these Courts; so it is not a full five-day week they work, neither as far as I know, is the clerk at any one of these sub-districts of District "F" required to be on duty until 4 o'clock in the afternoon five or six days a week, or five and a half days a week, because at these courts, the courts sit two days at Bissex Hill and one day at Belleplaine and two days at St. Thomas, because the magistrate, I believe, at District "F' was at one time performing the duties of magistrate of Districts "B' and "F", and I do not know whether this is still the case. At St. Thomas certainly when they had a full-time magistrate, the magistrate only sat two days a week.

The position, Mr. Chairman, is that if you have a magistrate for St. Thomas and a magistrate for District "F", one of these magistrates will be working two days a week as far as I remember, and the other magistrate will be working three days a week; so for a long time you had one magistrate performing the functions of both jurisdictions. When one examines first the rationale of the allowances and one knows the basic facts that nearly all the magistrates live in St. Michael now, one realises that the whole object of the exercise is that the magistrates..... if the hon. member would allow me to continue because I cannot hear myself, Sir; hon. members always get up and make a lot of noise on the other side about the Government doing this and that, and when an explanation is given, they never listen.

The magistrates themselves were complaining about being shifted about so frequently. The whole purpose of shifting them about is that they do not get stale, but get experience in the Traffic Court and in the Criminal Court, and no one magistrate is burdened with the expense of having to travel, say, to District "F" for twelve months of the year and that kind of thing. That was the whole object of the

exercise of shifting around so that for two months of the year no individual magistrate has to go as far afield as District "F" or St. Peter. When you take the whole thing you will find a magistrate working six months in District "A" and then six months between District "B" and the other rural courts, and it is only in respect of these months that he is actually performing the duties of magistrate in this jurisdiction. We come to the point that though he may work six months at District "A", he is still required to keep a car, therefore it is only just and equitable. When the hon. junior member for St. Joseph begins talking about being unjust and unfair on magistrates, let him ask the magistrates what they think. They are a lot better off than under his Government when they had no allowances at all, and since 1958 when the last Government changed the terms of reference for magistrates' appointments, they had nothing to solve the difficulty of getting magistrates to go willingly and work in rural courts. Now that we have made some attempt to smooth out this difficulty, the hon. member accuses this Government of being unjust and unfair. Maybe we are unjust and unfair because we should pay $100 or $200 travelling to these gentlemen; but I will ask him to ask any magistrate a simple question, and it is that out of the two Governments, which is the more unfair in their opinion.
1.50 p.m.

You will never have everybody in the Public Service completely satisfied with their terms and conditions of service although they do not resign and go anywhere else. It is the nature of Civil Servants to grumble. Sometimes, their complaints are justified and sometimes they are not justified and sometimes when their complaints are justified, you find the Government is willing to do more than they ask.

I think Magistrates are a lot better off by this arrangement than they were before. I think we can transfer them without the fear of their having to get a car or pay a taxi to go to certain Courts.

The whole question is paying a compensatory allowance, in answer to the hon. senior member for St. Peter, is that you are now compensating the individual for the inconvenience he would be put to for having to shift at a moment's notice to go to another Court. You are recognizing the nature of the duties of Magistrates. It means that he should have some form of transportation available in order to permit him more effectively to perform these duties.

I do not think I can explain it more fully. I assure hon. members that I have a lot of personal interest in this matter, therefore opinions have been canvassed and although I do not have the file here, I can assure hon. members that these allowances actually emanated from the Magistrates themselves.

Mr. WALCOTT: I am not going to make any personal references because I do not think what the Hon. Premier said before generally dealt with this matter at all. I think he followed the same error as hon. members who spoke on this matter. The gravity of this matter is to understand from where this thing emanated and the Hon. Premier at the close of his reply said that it emanated from the Magistrates.

Magistrates must bear this in mind. What the Hon. Premier said was that a Magistrate had to reside in the past in the district which he was put to work but now he is not called upon to reside in that district. In other words, nowadays his work is not in a particular district but the whole Island and in view of the fact that they are not working in a particular district but the whole island, a travelling allowance should be given them not to provide them with motor cars because they can borrow money and buy a motor car. The Hon. Premier said that the Magistrates made that plain.

I will tell the Hon. Premier this. At one stage, when you compelled them to live in the district for which they were appointed, they complained that they had to give up living at their residences and live somewhere else. A man owns a residence in a certain district and you carry him down St. Andrew. In those days and even now, it is not easy to rent a house in St. Andrew or St. Joseph suitable for Magistrates. These districts were never designed for strangers to go in and live. They were designed for the plantocracy to live unless a Magistrate wanted to live in an 18 X 10 house with a kitchen attached, and you would not expect him to live in that sort of house. In these parishes, they do not build houses for renters. The Government at that time may decide that a Magistrate must live out of the district in which he owned a house and in those days it was felt that a man was better off living in his own residence. I understand that they were not given any house allowance therefore a man was better off living in the district where he had his own house.

You come in now with this order. What the Hon. Premier says now? He says this is what the Magistrates have done. If they were under the Travelling Allowance Act, they would not ask Government for any money but they are not under the Travelling Allowance Act. I say that there is no inconvenience for a man who has been appointed at District "C" if he is living in Baxters Road to go to the District "C" Court because Barbados is small. The Magistrates have got together and have pointed out that in view of the fact that they have to do this travelling and they are not under the Travelling Allowance Act that they should be given some sort of allowance, so the Government is giving them an allowance which in truth is a disguised travelling allowance. It cannot be truly called a compensatory allowance because there is no compensation which you have to offer them. The position today is better than under the Act where they had to abide within the district which they were appointed to work. At that time they said that they did not like that and now they are not called upon to live in the district they say that you have to give them something for going to their district. I do not see how you can call it a compensatory allowance when they do not lose anything. Their relative position so far as work is concerned is better.

SUSPENSION OF SITTING

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

Mr. SPEAKER: It now being after 2.00 o'clock, p.m., this sitting stands suspended until 2.30 o'clock, p.m. this day.
2.02 p.m.

On re-assembling,

Mr. MILLER: Mr. Speaker, I should like to draw your attention to the fact that there is no quorum present and I ask that the Bell be rung.

On the Bell having been rung, a quorum was obtained.

PRIVATE MEMBERS' BUSINESS

Mr. SPEAKER: It is now time for the consideration of Private Members' Business. There have been no answers laid to questions and accordingly we will proceed with the consideration of other Private Members' Business.

The first Order of the Day under Private Members' Business stands in the name of the hon. senior member for the City of Bridgetown whose seat I observe is vacant.

RESOLUTION *re* BRITAIN'S ENTRY INTO THE EUROPEAN ECONOMIC COMMUNITY

Mr. SPEAKER: The next Order of the Day stands in name of the hon. senior member for St. Peter:- to move the passing of a Resolution *re* the setting up of a National Committee to study the effect of Britain's entry into the European Economic Community upon the economy of Barbados.

Mr. WALCOTT: Mr. Speaker, in dealing with this Resolution, I do not intend to take up as much time as was taken up by the Statement which was made by the Hon. Premier on this matter. This Resolution reads as follows:-

"BE IT RESOLVED that the House of Assembly views with concern the important statement made in this House by the Hon. Premier on Tuesday, 11th December, 1962, on Great Britain's entry into the European Economic Community.

AND BE IT FURTHER RESOLVED that the Government set up a National Committee representing all important elements in the Island to study and report on the effect which Britain's proposed entry would have on the economy of Barbados."

Mr. Speaker, it is true that the Hon. Premier chose a very unusual role in dealing with this very important matter in that it purported to be a statement made by him, but in truth and in fact it turned out to be a speech which lasted for two hours. It is difficult for us to have that statement and I have been wondering when we would get it. However, in view of the importance of the Hon. Premier's statement as to Britain's proposed entry into the European Common Market, I feel it is important that the Premier should make a statement like that in this Assembly, a Statement which was broadcast, but I am not pleading for a broadcast reply. I regard these things as special privileges for the Government. If a statement like that is made in the House, it is a statement which is of sufficient import for hon. members to have the opportunity of dealing with because of its vital implications to us. I do not intend to make any detailed answer to what the Premier has said because I do not think it is necessary for me to do so. This is not an issue which is of local import on which you have to divide the House, but it is of sufficient international importance that whether Great Britain joins the European Common Market or not, whatever is the outcome of these negotiations at this present time, I consider that it is important that some sections of the community should be giving study to matters which are likely, if they come about, to affect the very foundations of our economy.

The Hon. Premier made mention of the document which was known as the Treaty of Rome and to not one person, unless it is those people in the European Economic Community, would this be a document which he would select to read. Select portions of this document would be dealt with by people who have to deal with them. You have heard a lot of talk about whether it is right for Britain to enter the European Common Market or not and the Premier did not say whether they would be better or worse off in doing so. He did not say that this would be one of the A.O.T. groups. I do not feel that anyone could make any dogmatic statement as to what Britain intends to do.

Mr. Speaker, in the course of my speech I hope to quote from the late lamented Hugh Gaitskell who made what can be regarded as one of his most brilliant and famous speeches at the Annual Conference of the Labour Party. That speech was such a famous one that it was printed as a special pamphlet and it was distributed throughout the world. He did not make any dogmatic statement. He set out five points which he asked his Party to consider. The people in Barbados have been discussing this matter but none of the interests in Barbados has been discussing the European Common Market with any amount of force as to say: "This is what we regard as the implications in this matter." I would like to emphasize that the Premier has said that we have to think of ourselves in terms of our relationship with Britain. If Britain enters the European Economic Community, whether we like it or not, it will be an extremely trying time for Barbados. The only good thing which I can see emerging from Britain's proposed entry into the European Common Market is to make Barbadians get up and get, and to remember that we must have a complete re-thinking of our staple economy. Barbados sugar represents 95% of the domestic export products of this country. It is a classic example of a one crop-economy with the promise of President De Gaulle that he had to insist that if Britain would have to go into the European Economic Community Britain would have to drop this preference. Barbadians, without thinking of what would happen in 1970, do not have any clue as to what will happen if the mainstay of our economy were to receive such a shock.

Mr. Speaker, I want to say that there is too much of a wait and see policy in Barbados, and this policy does not seem to worry people very much. When I say that Britain has given us a guarantee until 1970 for sugar, incidentally it seems to fit in with some of the dates of the European Common Market because it is one of the dates that they hope to remove these extra territorial appendages which Britain would have. The United States of America have been pressing Britain about the European Common Market and these other appendages which are carried with them. President Kennedy introduced in 1962 a new method of trade tariffs in order to bring the United States Government into closer association with the European Economic Community. You have Great Britain on one side and the United States of America on the other. These Commonwealth Territories in the Caribbean area are left to make a decision for themselves as if some of them are not your associated overseas territories, and some places in Nigeria and Africa decided against it because Britain's entry into the Treaty of Rome is not only an economic but a political treaty. The most important of the African States do not have any intention to give up their foreign policy; even the late Mr. Gaitskell warned this Party that it was not his intention to give up foreign policy to the United Kingdom to be engaged in the foreign policy of Europe. Some of the African territories have taken the role that they should not be embroiled in a European political entanglement and that there should be free African states to dictate their own political destiny. For that reason, some of them were extremely cautious about entering the European Economic Community. I said earlier that Barbados is in one of those positions in which there is not much for us to talk about on the score of industries but we would find ourselves in an extremely perilous position if we cannot begin to have a formula and to think of ways and means of what we will do after 1970.

2.40 p.m.

I do not believe it is too early to begin thinking along these lines, Mr. Speaker, and that is why I have taken the opportunity of replying and putting this Resolution in to the Premier's Statement on the European Economic Community. The Premier's Statement did not say anything positive as to what his Government intends doing, nor did the Premier say if it is his intention to have on a broad basis a Committee set up to study and report, not a Committee to take over the Government's decision if they want to enter as an Associated Overseas Territory. I feel if this House of Assembly debates a matter like this, it is being dealt with in the right place, it has the right focus and would be given the right attention being such an important matter. For that reason I am submitting that these issues that we have to deal with (1) transcend party political issues; there are no party politics in this; and (2) the political parties as they are constituted do not have within their structural arrangements the sort of advice and machinery for dealing with such an important matter like this, and it has been left to the Government to use the Government's own machinery as distinct from the Government Party machinery for which they unfortunately happen to be in the same position as some of the other political parties which do not have the machinery to provide the sort of research and preparation which an important document and important discussion like this should have.

It is very remarkable, Mr. Speaker, that the European Economic Community has been going on for some time, and three years ago when I returned to Barbados I made mention that this came up at one of our international meetings in Brussels where our International Trade Union Headquarters happen to be, and someone told me that it looked strange that I was speaking about the European Common Market. To that person who is a Civil Servant, the European Common Market sounded like something in outer space which had absolutely no concern with Barbados, and I should have been talking about sugar or something that would mean something more to Barbados. There is the unfortunate tendency in feeling that these matters are matters that have to be dealt with by people in the backroom, with economists and research officers giving you all the implications and showing all the trade trends before

you can begin to work your mind on it because it is an extremely complicated issue for us, and that is why I say it is not the sort of exercise that you can deal with only in a debate in an Assembly. It is the sort of thing one should get down to with all the relevant information at your disposal so that you can deal with the political aspect that would affect the West Indies.

Mr. Speaker, Britain itself in divided, and without taking any thunder from what has been stated, and what will be said for Mr. Gaitskell when the Government introduces a Resolution of condolence, Mr. Gaitskell made a very important thing for Britain. It is necessary for Barbados to know he did it for the people in Britain and has shown to the people there that Britain had other alternatives. I say that it is a source of regret that he has been taken away at this time because he projected a point of view which I regard as the essence of democratic socialism through which the world would have had a new blood transfusion and take us out of some of those ruts which we are in, because from the Tory side in Britain they can see no other means than to go into the European Common Market, and a man like Mr. Gaitskell can show them so many other alternatives by the analysis of trade with the Commonwealth as compared with trade with the six countries and trade with the European Free Trade Association in which Britain is to join with the Scandinavian countries and some of the other countries in Europe. He did that from Britain's point of view to point out that the Economic Common Market was not the only road for Britain to travel, and I will only quote what he said in Britain. This same Party was in power in 1926 when Baldwin wanted to carry Britain into a new trade situation and they pressed to have an election, and as you will very well remember, that election caused Baldwin the Government and brought the Labour Government into power for the first time.

On this occasion, Mr. Speaker, Mr. Macmillan may be too shrewd and sees how the wind of change is blowing and does not intend to have an election on the European Common Market issue. When I read passages from what Mr. Gaitskell said about that, though it has no local implication, it is the only way that Governments all over the world sometimes work. I will just quote with Your Honour's permission.

Mr. SPEAKER: The hon. member may read extracts from books or papers other than newspapers.

Mr. WALCOTT: In speaking on this situation, he asked them to take it to the country. He said in a broad way that in Mr. Macmillan's speech the Prime Minister had pledged that "when we know the final position, then it will be for us here in Britain to decide what to do". For us here in Britain? Who does he mean? Does he mean the Government? Or the Tory Party? Or the British people?

We are now being told that the British people are not capable of judging this issue — the Government know best; the top people are the only people who can understand it; it is too difficult for the rest. This is the classic argument of every tyranny in history. It begins as a refined, intellectual argument, and it moves into a one-man dictatorship; 'We know best' becomes 'I know best'. We did not win the political battles of the 19th and 20th centuries to have this reactionary nonsense thrust upon us again.

I say that when you pay obituary to Mr. Gaitskell, that is the sort of thinking the world is going to miss at this stage when we need it so badly. Mr. Gaitskell in pointing out to us in this country some of the dangers, made it clear that that is the sort of situation you have. The British people and the Labourites resisted the idea of going into the European Common Market, but the Tories believe they should. They have examined the position and are divided. I would say that maybe if an election had to take place prior to Mr. Gaitskell's death, say, in October last year, the Government might have been changed, and therefore the idea of Britain entering the European Common Market might be a different thing, more so on the terms offered by the Six.

2.50 p.m.

Now, Mr. Speaker, some people believe that Barbados has no alternative than to enter or go along with Great Britain and when you ask them why they say that, what do they say? Do you realise all of the implications of the barriers that have been set by the Six on trade, on preferences on commodities?

I am satisfied in my mind that Barbados has an opportunity to join with some of the other territories in the Caribbean. In a memorandum which we of the Union submitted, we said that it is time that we look at the situation in Canada. Canada has certain reservations different from the United States about this matter. There are certain trade possibilities with Canada and before Barbados speaks too quickly it would be good that these things be examined in the light of the situation.

I say that because Barbadians have not been in a position of talking over these problems. It is true that the European Economic Community was talked about for some time and on the face of that, Britain passed an Immigration Act and with all respect to the British Government and British Parliament, we in the Trade Union Movement protested against the British Immigration Law. I do not know how many Governments protested against the British Government passing this Act but I am told that that was the result from pressures in Europe. I was at a conference in Nigeria and I told some Europeans that I had not seen a bare-footed man in Europe. They have no concept of the situation which prevails in some of these territories and if Britain enters the European Common Community without paying some strict attention to these territories, I do not know what the situation will be for us. We do not think that we are begging or asking for any aid; there is more than a moral obligation which the British Government owes to many of us.

Mr. Speaker, those of us in Barbados speak English but an Englishman regards it as an indigenous language. He speaks with pride on the basis that his language has so far covered the earth and that there are so many million people who speak it. Why has his language become so to speak an indigenous language? The answer to that is simple. The historical reasons are that these colonies were created by Britain — and this is not crying over spilt milk or going into the cupboard and looking for a skeleton — our history has been bound up with England and the fact that we only speak English is bound up with our historical background. Here it is, people with a different ethnic background is just as tied tongue as a man born in Yorkshire or London. Here it is, you have two different people with the same common heritage and yet at this stage of our history, we find Britain passing a Commonwealth Act excluding from Britain people for no other reason than their pigmentation.

When that Immigration Bill was passed, the Englishman might say that he was not imputing any bad motives but I have always wondered if Britain has ever got a little worry about what will happen when she joins the European Common Market. One of the clauses in that treaty is going to permit Belgians, Frenchmen, Italians and people from Luxemburg to go to Great Britain and work without a passport. This will be the position within three years' time but you may be able to move if you obtain a job before and, as I have said, you will be able to do so after three years, whether you have a job or not.

I wonder if Britain did not want to appear that hard indeed because I hear some person speak about English judges and I have all the respect for English Courts and British Justice and all the trappings of it because it can stand the best of reproach. A Britisher talks in some idealistic way about themselves and the average Englishman feels that God sits at his right hand so it is not any question about their attitude towards other people.

As regards their reason for passing the Immigration Act, I feel that they do not want too many people looking like myself in their land because I heard a British judge said that the West Indians went to England and began to get

along there in the same way that they get along in the West Indies. I think they started this sort of living to which they are accustomed. As you know, Sir, we are liberal in many other things than the arts and that judge said that this sort of thing would change the character of the English people so to speak. That is what I saw when reading the book "Green Pastures". The Americans said that they would put up a white flag and say that they are different from the others but the first real exposure which Britishers received from coloured people coming to England to work alongside them, they put up the same barriers as all the other people had put up and even with the same reason.

The British people have the effrontery to call Barbados "Little England" and yet "Little England" cannot get into "Big England" unless by some special treatment. They say that politics make some people the same bedfellows and the 45 million people of England would go to make a community of 220 million people which is a good market, therefore that is something to which they are looking forward.

Some people must understand that one Government of a country would say something and the other Government that comes along would say something which is different, therefore do not take what a Government says as something which is righteous. Britain is going to enter the Common Market because of the Tory policy. The late Mr. Gaitskell, if he had become Prime Minister, would never have taken Britain into it. That is how our attitude is locally too. One Government would say something and another Government would say another thing. (A VOICE: Wilson would take Britain into it too.) I hear a member say that Wilson too would take Britain into the European Common Community.
3.00 p.m.

It is an issue that you might have some people in the Labour Party agreeing with some people in the Conservative Party because I know and I have met a Conservative Member last November in Nigeria and I am sure it is no secret. If I should say who it is, he is John Hollingsworth; he is one of the forty members who are against Britain's entry into the European Economic Community but he has to go home and vote for his Parliament. He is not in favour of the political clause which means that their foreign policy and their political identity are going to be one in Europe. If you were to take a referendum on that matter, you will get a lot of varying decisions because a country which has grown up for thousands of years with a more democratic system as against a system which is noted in Europe and West Germany, and when you get some people agreeing to the same political structure you are bound to get a difference of opinion. There is no question of saying that Mr. Wilson would take them in; I am not sure I have read any document that Mr. Wilson would take them in, but Mr. Gaitskell wanted a lot of safeguards.

Mr. Speaker, here in Barbados I feel that the state of our own economic position would show us that we cannot make any dogmatic statements and say "Yes" or "No" to this matter; we should have an opportunity of studying these things. This does not involve the Government in accepting any decision from any Government that has given any study to it; but to focus attention on this matter is a very worthwhile exercise which should be undertaken. Moreover, I feel that, in view of the fact that Barbados is entering into an Eastern Caribbean Federation, it is a good thing for Barbadians to take the lead of thinking on matters such as this, matters over which they can project a point of view — I do not say matters over which they can project an image because that would look as if you want to dominate something. We would have to be frank about ourselves and if we feel that we are capable of giving the lead in some important matters, we should be failing in our duty if we refrained from so doing.

What I feel is that hon. members should devote their time, energy and thinking to this important matter because it is a matter which will affect us very much. Unfortunately, the sugar interest here does not have a forthright policy as to what the position would be. One sugar magnate says that he doubts very much that Great Britain would leave us in the cold. Well, it is all right to say that. The late Mr. Gaitskell was more knowledgeable on this matter than I am. What were the reservations he asked for? He asked for reservations for foreign policy, for Britain's agricultural farmers, for full employment and a reservation for the Commonwealth Territories. He was doing that in his own country. Here in Barbados what are we doing for our country in relation to this issue? Some people like to play by air. If Trinidad and Jamaica say that they are going in, we are going in too. Do you realise why Trinidad has gone in? If Trinidad did not have petroleum they would not have gone in so quickly. They are afraid of the people, of those whom they have to compete with. You cannot follow people into this course unless you have made a study of it.

Mr. Speaker, it would be good for hon. members to know what the late Mr. Gaitskell said about our own territories. This is what he said:-

"Then there are the proposed associated overseas territories, the African and Caribbean countries. The Prime Minister described them as having wonderful terms. What a patronising attitude! Wonderful terms if only they would accept them! Why do they not accept them? Why have almost all turned them down? Because they regard them as implying a political commitment to Western Europe which they do not want. If you ask why they do this it is because of the history of the relationship between France and the French Colonies and the relationship which exists there today. That is why this special A.O.T. status was proposed. I cannot feel it right that African countries like Nigeria and Tanganyika should be penalised as they will be under the present arrangement, just because they prefer not to do anything which might imply an absence of political neutrality."

You have a situation which you have to watch very carefully. This is a man who had all the potentialities of a future Prime Minister and it may be that it is only fate that had prevented that from being what it would be. That is one of his last big pronouncements. He made it quite clear in speaking about the colonies what the position would be. We had Mr. Sandys down here and it is amazing how he dealt with the statement which Mr. Sandys made. Mr. Sandys had said this:-

"We have promised our partners in the Commonwealth that we shall not join the European Community unless we can make arrangements to safeguard their vital trading interests. We made that promise. We stand by that promise. It remains as it was, unqualified and unaltered." That is what he said a year ago, Mr. Gaitskell went on, "Will he repeat it at Llandudno?

When the Commonwealth Prime Ministers' Conference began one might have supposed that the Government would say, 'Here is what we managed to do so far. It is not very good and we should just like your views on it. We will take your views back and try to get better terms." That would have been understandable. After all, it is not the fault of the Government entirely that the Six have been so difficult. But this is not what happened.

On the contrary, what happened was this. Instead, and after a pledge which had also been given that the Government would not make up their minds until after the Conference, there was a continual stream of comments: 'We are going in, anyhow. You had better take it, because there is no chance of our changing our minds.' Day after day the Tory press poured this out. Did they intend it? Of course not. It came from the Government, and it came from Mr. Sandys in a desperate attempt to bulldoze the Commonwealth into accepting what had been done."

That is what Mr. Gaitskell said in England. What the Government said then is that it is better to go in now and if you do not take it now it will be worse for you in the end.
3.10 p.m.

Mr. Speaker, Mr. Sandys came here; too fast a visit for me. I am a little bit suspicious about Englishmen

visiting us at this time of the year. England is usually very cold at this time of the year, and Barbados is far from being cold at this time of the year, and whenever you have a winter season and you expect it to be tough for those who have been living in winters for 50 years, it is a good thing to have a little sunshine, and sometimes we have these sunshine visitors. We welcome them from the point of view of the economy but from the point of view of a Secretary of State, I usually feel it is a little bit of an exercise to give him a little vacation when he comes to see us. He had three or four days here, and we could not get down to too much. Where I feel a study can be made is for Barbados and the other colonies in the West Indies to set up some Commonwealth or Caribbean Development Organisation for which aid can be provided of a substantial nature to give us the economic props so that if we lose by the European Economic Community, we would have something to bolster our economy. By that I mean this: if Britain enters the European Economic Community, Mr. Speaker, sugar would be subjected to a loss of preferences. We would have to compete against all the French territories just like how Nigeria and Ghana would have to compete against Senegal in cocoa. I feel this is where Britain's obligation is to us, and it has been suggested before that one percent of the national income of these industrialised countries, and that is as you know the Six, should be taken to provide aid on a similar basis to some of the territories.

We feel, Mr. Speaker, that a Development Organisation should be considered in order to help these territories over the first stages just as Britain wants to phase her situation in entering the European Economic Community with tariffs. Looking at this, what is going to be our position after 1970 or after Britain joins the Economic Community? What will happen when our sugar will be exposed to the situation in which even the United States of America is insisting that Britain should join the Commonwealth preferences. You know, Sir, that in politics there are pressures, and when you are running a Party you have pressures. Somebody may want a position and you have to learn how to bat them off; you may give a fellow this or that, but you cannot keep all to yourself and say you will remain in power. When you are in a position like me, you do not have to give away anything; you do not get, but you do not have to give. You have a situation that when Britain joins the Economic Community, these preferences will go or are likely to go; so what is going to be Barbados' position with sugar when we cannot now turn to anything immediately as an alternative? You cannot stop growing canes tomorrow; it is not like a pair of shoes where you can go home and take off a pair of brown shoes and say you are going to a funeral and put on another pair; therefore you cannot stop manufacturing sugar and turn to another industry overnight; so that needs a long time of thinking. Let us ignore completely the mass monumental nonsense, the statement alleged to have been made by a former Prime Minister of the West Indies. It is no wonder that he is no longer Prime Minister, because it is a tragedy in an age like this and in a place like this to have anyone in 1962 or 1963 telling the public that there is nothing for us to do but weld ourselves to sugar. That is madness. We have been so inflicted that that happens to be our lot. I think it will go down in history that you had a Prime Minister without a Government, and a Federation like one of these stillborn children. That is something we regret, but he made that statement, and I do not want to bring him into this because I believe we have passed the stage of his thinking; but that sort of thing is likely to percolate through the soft heads. In some cases they say that Barbadians are soft headed. There was a connotation at school that when a boy was soft-headed he was a dunce, but some things get through soft heads, and there are some soft headed people in Barbados who believe that all we have is sugar; they think that sugar will be a memory from the point of view of our economic salvation. That is why I say that over a period of five or ten years props would have to be given to places like ours, because like the biblical injunction in Jeremiah which says "you are moulded like clay in the potter's hand", we have been moulded into this economic structure being colonies under Britain, producing raw material, sending it to the United Kingdom and Britain, and purchasing the manufactured goods.

Even at this stage, Mr. Speaker, Mr. Gaitskell told them they had to have a complete reorientation and not regard these territories as ones to industrialise, because they tried to keep the pressures on the colonies just as they kept the pressure on India and Pakistan in the textile industry on some other flimsy basis. What do you expect 400 million people to do? We here in Barbados became a sugar producing territory not based on our great grandfathers in Africa being on plantations, but based on the fact that we were brought here and an economy was created for us by our masters 500,000 miles away. Now we have come to the situation where we may be breaking away, but there are some Barbadians who feel that if you want to be independent you should not be asking for aid. That is stupid. We are children and we grow up from our parents and take our own responsibility, and there is nothing which says that your father cannot give you aid before he finally kicks you off. I would say that Britain owes it to us that she must give us aid to put us on our feet, and that is where I say that the sugar economy of Barbados is going to be faced with the problem of being exposed to the non-preferential treatment in Europe, and will have to get something to bolster our economy. We in Barbados should be thinking in terms like that, and not in terms of begging or wanting to hold on to apron strings all the time. We should be thinking in terms of phasing our economy until it can catch itself.

As I said, Mr. Speaker, my intention is that the Barbados community should give attention to this statement made by the Hon. Premier. I do not feel it should have been made like that and just left there. I feel this Legislature should be able to express a point of view on it, because it is a very important statement. My Resolution does not permit the Government to do anything other than agree that it is of such importance that a study should be made of it, and give the people of Barbados who it is going to affect an opportunity of sitting down and studying it. All of the political parties, and all of the vital interests should come together with whatever advisers they have and make a study of it. The Government with its departments can give the lead and say what it has discovered and what information it has and get the people of Barbados and the leaders to exercise their minds on something that is extremely important.

3.20 p.m.

The Government with its departments can give the lead and say what it has discovered and get the people of Barbados and the leaders to exercise their minds on something which is important.

I can also mention that we should look to Canada. I feel Canada offers us an excellent opportunity. First of all, it is not one of those imperialist colonies and then the Dominion of Canada is close enough to us to bring us in quick contact with her. Her potentials are great and we should be looking to Canada even from the point of view of somebody to take our sugar if Britain enters into the European Economic Community after which Canada would be no longer bound to the treaty for which she gives you preferential treatment which is 20% on the World Market price for sugar and she elects to buy in the Open Market. Therefore, you can very well see that Canada has things to export to us so we can enter into trade relationships with the Dominion which is close enough to us for us to explore the possibilities.

I do not feel as Barbadians feel that we are tied to sugar alone because if you look around you will see that Sweden is not a big country, Norway is not a big country and Denmark is not a big country. They are three small European countries but they are big exporting countries. We have to get down to thinking of what we can do to help our people because we have a lot of material in the place. When I say material, I mean human beings. We have a mass of unemployed labour and without any use being made of it, Sir, you know that it can be a potential danger. I am saying all these things because it is our duty as members of this

Chamber to make a study of them. You should therefore give us inroads into thinking of our own economy in order to bring about a better place for the people of Barbados to live.

Mr. Speaker, I think my Resolution recommends itself to the Chamber and it would give hon. members the opportunity to study something which some people say is not something which concerns us. They talk of the European Economic Market as if it is something in outer space. When people talk of the Common Market, they feel that it is the market in Cheapside because when you talk about the word "Common" you think that it is something belonging to the common man and when you talk of "Market", you find everything in the market place and in market places, there are not any particular rules drawn up therefore you regard them as places where you could say anything and places where you will say things which you would not say in the House of Assembly.

I think it is incumbent on the leaders of this Chamber to accept the challenge which this proposed entry of England would mean to us. We are not from our point of view debating whether Britain should enter the European Common Market or not. That is their sovereign right. What we are concerned with is what affects Britain's entry in the Common Market with all the implications which it has on our economy would mean to us. Do you think that is a matter for us to study or do you think that that is a matter for somebody to study for us? I think it is for this Assembly to start the lead into making a study of the effects it would have on us. The Hon. Premier started it off by making a statement and I feel that the challenge should be taken up by all the other members.

Mr. Speaker, I have no intention of taking half the time in speaking on this matter as the Hon. Premier took in making his statement on it. I regret that I cannot quote from the statement which he made because it is not available. My Resolution reads as follows:-

"BE IT RESOLVED that the House of Assembly views with concern the important statement made in this House by the Hon. Premier on Tuesday, 11th December, 1962, on Great Britain's proposed entry into the European Economic Community."

"AND BE IT FURTHER RESOLVED that the Government set up a National Committee representing all important elements in the Island to study and report on the effect which Britain's proposed entry would have on the economy of Barbados."

Mr. Speaker, I will end by saying that I do not know if the Hon. Premier made that statement at that time, which was on the last occasion we met before the Christmas recess, so that we could have the opportunity of reading it during the recess. If he were so charitable, I can tell him that it is not printed yet and I do not know if it ever will be printed because it was a statement which he took two hours in making. I would say that in future, when the Premier has such important statements to make, I think it would be a good thing if he would come down with a White Paper and let us have the opportunity of debating the matter and therefore do not give the impression that it is a window dressing affair. When you come and make a statement on a matter like that, it is not like the Deep Water Harbour where the sea leaked into and somebody comes and makes a statement on the matter.

I hope in the future that important matters like this, dealing with a country's economic policy, and life, would be dealt with in the manner and form where you can have a debate in Parliament on them. There are some things which we can do well to copy from the English. We can copy their parliamentary institutions. I must say that they have some excellent parliamentary mannerisms and codes of behaviour which you can follow, one of which is that these important statements are set down in a White Paper and the Prime Minister says beforehand that he intends to deal with that on such a date and there is no question that it would be dealt with in another form and in a way which would preclude parliament from debating it. Sometimes when the blood is hot, it is right that you strike the iron. I would say that here in Barbados there is this attitude of dealing with these things in this manner but leaders of the Government need not adopt what I regard as these clever attitudes in dealing with these matters. You leave the other members outside when you deal with these things in this manner. This is the sort of thing which you can have on a basis of letting everybody enjoy what you are doing.

It is clear when you come here with a statement on the European Economic Community that you regard it as something which everybody in the Island should be aware of and that is something which should be set down for debate. You have no permission but you bring in equipment to broadcast the speech of somebody on some other matter. If I am not accorded the same facility, I would throw it outside. There is nothing in the Rules of this House that says that something should be set up in front of me. You get these things strung around here and at times I see photographers come in here and take pictures. Some people take life for granted. You cannot take life for granted in here; there are certain rules. I say that in good spirit. I feel if you have a debate which is going to be broadcast that it is fair that all members be accorded that same facility because we are equals.

3.30 p.m.

It is not fair for you to allow any member of the Government to put equipment in this House which becomes a privileged position in so far as any matter is concerned. If you permit that, you will permit this position of a window-dressing organization. I would not bring in Rediffusion and say that I would like to deal with my Address today and therefore we should put in Rediffusion.

Mr. SPEAKER: The hon. member, like anybody else, would have to ask my permission to do that.

Mr. WALCOTT: Mr. Speaker, I do not consider that this is something for which I will have to ask your permission. We should have Rules governing that, otherwise we will have to ask for privileges which the House as a whole has not dealt with. I have no objection to the public listening to the Premier making a very important statement on a very important matter, but I object to something which is being utilised and which is not open to all members of Parliament. I am saying that anything which is not open to all members of Parliament must be taken from in here; it must be dealt with on the basis of equipment. Mr. Speaker, I have moved the passing of this Resolution and I have no intention of saying that I should be granted the use of Rediffusion; but if hon. members regard such things as in relation to public matters, then I say that all the members who want to enjoy this facility should be able to enjoy it. Every member should be granted that privilege. The Hon. Premier could give notice and say that he intends to deal with this matter as the first Order of the Day for the next meeting of the House. He could make his speech and nobody could have any objection to that. These are things which we can get and it would work very smoothly for everybody in this House. Nobody wants anything over that. I beg to move that this Resolution do now pass.

Mr. MILLER: Mr. Speaker, I beg to second the motion for the passing of this Resolution and I wish to express my opinion on this side of the House. We are all impressed by the speech made by the Hon. Premier on the debate in connection with Britain's entry into the European Economic Community. I do not know that it could be denied the people of this colony that it was the Premier's intention to deal with such an important document as Britain's entry into the European Common Market like the presentation of the Budget Speech. We will have to look forward to getting a copy of the Premier's Speech and I may say at this stage that it was my intention to discuss this statement with my Party; but we could not do that because we did not have a copy of the Premier's Statement on this matter. We can glibly go on discussing for hours, if not years, this matter of Britain's entry into the European Common Market. I am wondering, Sir, if there is anybody alive today in the Caribbean area who could discuss the effects of Britain's entry into the European Common Market. It is only last

week that the effect of changing the tariff walls in relation to Great Britain's entry into the European Common Market was being discussed and people are unlikely to give any statistics as to what is likely to happen in one year after Great Britain's entry into the European Common Market has taken place. We have enough to study about. De.Gaulle is very bitterly opposed to Britain's entry into the European Common Market and particularly among the leading newspapers in the United States of America there is some feeling about this five-community arrangement although the original dream and idea was a community of six.

It is still believed in wide circles that the speech made by the late Mr. Gaitskell is a famous one, and I may say that it is unfortunate that he departed this life before he was given an opportunity to see what the position of Great Britain would be in one way or another in relation to her entry into the European Economic Community. We know that France's attitude has led the way for a breakdown. It was felt by a number of wealthy sources continental and otherwise that Mr. Gaitskell's attitude would have been a deterrent against Britain's entry into the European Common Market. The second counter-attack which has taken place by the leaders arriving in England for Mr. Gaitskell's funeral is that the very reverse might obtain. It is my private and solemn hope that the Prime Minister of Britain may take the right decision. We are not joining this community if Great Britain is expected to surrender the preference which is only a term given and used because it is convenient to the British Government for the budgetary assistance of export territories. A number of things can happen. We have seen some of the grant-aided territories supported by the British taxpayers for over three hundred years and why should we now have all sorts of fears as to whether or not we will see a sudden end of Britain's responsibility to the Caribbean territories? I do not think we need have that fear. A new term has been developed which we think we will respect and Britain has had a nice way with this experience in bringing us to the belief that we will feel some hilarity in our outstretched hands for British charity.
3.40 p.m.

As I said, Sir, I like to refer to my first remarks on this matter, that I do not believe you have any West Indians alive who could really give us an idea of what is likely to happen after Britain enters. As I said earlier, I have had easy access to a number of Latin American papers on the great speculation as to whether tariff walls will fall in order to bring Britain in, and as you know, Britain can be regarded as a minority group in itself, and whether or not all these things will add up to the satisfaction and dream of the Prime Minister of Great Britain is still a question of speculation. I believe, Sir, if for no other reason but the diffusion of discussion and thought on the Economic Community that this Committee will serve a purpose, and if we are thinking in terms of the national effect it is likely to have on our country's thinking, it is so vital at the moment that I am bound to agree with the hon. member that something be done, and you should make sure that you provide membership on this national Committee that would suffice to satisfy in the first place the requirements of all sections of the community and that should also apply to thought. I have no desire but to be part of the country's thinking, and if this National Committee is established, Sir, I am sure that we will be provided with the documentation for the first time giving some idea of what is likely to take place not only in the West Indies but in African territories as well if the decision is taken through the Prime Minister of England that Britain should join the European Economic Community.

Mr. GODDARD: Mr. Speaker, this question of the European Economic Community is one of the biggest questions of the day. We have seen since the end of the last War nations getting together into bigger and more powerful blocs. At the moment we have Russia and her satellites on one side, we have America on the other, and in between we have Europe, a number of very powerful nations. The people of Europe realise that if they were to remain in small blocs, they would have no place to voice big decisions unless they come together and form a third big bloc, and the surprising thing about it is that they are backed in that thought by the United States of America, the reason being of course that at the present moment Western European ideas are almost identical with those of the United States of America, and together they will form two great blocs and Russia will really have to think. The way they are now going, that is the background, and that is how it is felt by leading politicians. We play a most insignificant part as we are today. Barbados alone would almost have no effect whatever, but would have a little more in a Federation, and that is the reason why we in the West Indies are also thinking in terms of a Federation.

Mr. Speaker, we in Barbados have over the past four years seen our economy at a standstill; it has not moved forward and although efforts have been made to try and move it on, nothing has happened, and unless we can find ourselves into a bigger trading market, I am afraid that that effort will continue without much result. It is imperative that we consider this subject most carefully as to how it will affect us. We have seen — and this is what worries us who have thought of it — that if Great Britain enters the Common Market and proper safeguards are not made at the same time for the Commonwealth, and by that I mean Her colonies in which we are included, not only our preferences may go by the board but something more important; the guarantee of our sugar market may go. We have seen since 1951 when that guarantee came about a change in the prosperity of this Island and in the West Indies as a whole. The guaranteed prices of our sugar and of a market for it have changed the whole complexion of the sugar producing Commonwealth, and that is what we are striving to maintain more than anything else. No harm, but a lot of good will come about from the composition of a Committee of all walks of life and of people who have something to contribute to it.

There are many people in the commercial community, Mr. Speaker, who have given great thought to this subject and how it affects trade, because we are getting together in bigger units throughout the world for the purpose of trade, since it is on that that the prosperity of a country depends and the unemployment or employment as a result of it. I commend the hon. senior member for St. Peter for bringing this Resolution because it gives the Government an opportunity to think on this, although I do know that some attention has already been paid to this subject; but it will give them the filip to appoint a Standing Committee that will meet and discuss from the Barbadian point of view what effect Britain's joining or otherwise the Common Market will have not only on Barbados but on the other islands with which in the near future we hope we will be federated. This big question is so big and will affect the lives of all of us in one way or the other that no one can ignore it, and you should give every possible assistance to those persons who are thinking on it to contribute of their best so as to guide this or any other Government when the time comes for the decision to be made. What decision will the West Indies adopt in our relation with the United Kingdom in the Common Market or with Canada outside of it?

Canada is very concerned about the development in Europe today. She feels that she will be left out. What she is concerned about is that she is a nation of 16 million or 18 million people just on the northern border of the United States with 180 million people, and it is but inevitable if some association is not made between Canada and other powerful trading units that she will automatically fall into the orbit of the United States of America. That is her concern and she may want to put out her helping hand to others who are likewise affected, and it may be an opportunity for the West Indies and it should be explored by us if it is to come from her whether the British Caribbean Islands cannot form an association with Canada.
3.50 p.m.

The West Indies has only three million people. We should explore the possibility of joining an association or some very close form of association with Canada. Geographically, we are on this side of the Atlantic and we trade with North America. The products which we produce are complimentary with Canada. We produce sugar, rum and vegetables of a tropical nature and that is what Canada

cannot produce but would need for her population. Canada can take quite a large share of the sugar which we produce and this Island would give Canada the opportunity of developing it as a tourist resort for Canadians who want to get away from the rigours of their climate. For three or four months of each year, they are snowbound and they are finding a home in Florida and the southern parts of the U.S.A. What we have over here, they need and what they have over there, we need, and together we can properly work out a very close association that would be of great benefit to both of us. That is one of the factors which can be explored by this Committee. We cannot deal with any other Island but in a Federation with the other Islands, it would be a stronger association.

Sir, I recommend this Resolution to the House and we from this side support it most wholeheartedly.

Mr. CORBIN: Mr. Speaker, this Resolution as it stands before the House today is a very important one. The context of this Resolution deals with a question which the world has to face today especially when it comes to small unit territories like the West Indies.

We realise that we have been supported by Great Britain for a quite a number of years and the way how I feel today about Great Britain and ourselves is that we are just like a mother with children and they are not weaned and she is leaving them to go abroad. We all know the condition of poor children of a mother without a father and she is leaving her children to go abroad. We all know what are their conditions and how they are going to fare because we in our natural experience have discerned many mothers and fathers who have left this country and gone to Great Britain and left their children in a desperate position and we have had to try our best to maintain those children. Therefore, when Great Britain leaves us and goes and joins the Common Market, we have to ask ourselves, will the West Indies survive as it has been? Can we survive without our mother? That is the question.

Mr. Speaker, I sat down here today and I viewed every point in my common way. Would we be able to survive if Great Britain joins the Common Market? I have just listened to the hon. junior member for Christ Church who stated that the West Indies have three million people. Sir, I would not mind if these three million people could keep themselves. Our economy depends upon our sugar, rum and different commodities which the Lord has helped us to grow here. For these many years, Great Britain has given us a guarantee which has caused these Islands to develop very greatly and by which owners of estates could invest their money because they would know from where they would get their salvation. I am saying today that if Great Britain joins the Common Market and leaves us alone we would be worse than when we were under colonialism. We may have a good sugar crop this year or the next year but our prices would be varied from time to time so we would not know when we go up or when we would be coming down. But when we have a guaranteed price for our sugar crop, that is what helps us and we can build around that.

I also feel that if the West Indies do not join themselves together and become a Federation, it would be worse for us. If we do not join together, what are we going to do if Great Britain leaves us and joins the Common Market? To whom must we go? If we turn to the left or to the right, Britain is all our hope after Almighty God. Great Britain raises the price of our quota of sugar when the year comes in order to help us and if they pull away from us without giving us some guarantee, what would we do? We must stress to the Mother Country to remember us at all times because we have been faithful to her at all times. Even in war we are willing to send up our quota of men to fight for her in any part of the world. We have contributed everything to help her even our lives to keep the British Empire in existence and if Great Britain leaves us alone now to whom must we go?

Mr. Speaker, we must join ourselves together and plead and ask the British Government to remember us before she sets out to join the Common Market, because we may not be able to prevent her from joining the Common Market. I say to all men that this is an important question and I, 'Homie' Corbin, am drawing to the attention of this Island of Barbados and throughout the West Indies that before Great Britain joins the Common Market to let us make our petition to Almighty God who would speak for us because without that help, we do not know what would be our future and the only possible means of our existence is to depend on the commodities that we have started here. Without her help, we will have nowhere to export our produce. We cannot survive by what we grow here alone. We must therefore ask the British Government to remember us, especially Barbados. As I have said, for 300 years we were sending up our produce to England and the best that we could offer, even our human lives have been sacrificed in all parts of the world in trying to protect the British Empire.
4.00 p.m.

Therefore, I think it would be very hard, it would be a very wicked deed, if Great Britain were to leave us without its protection. The big Governments today are joining themselves together and if the big Governments are doing that I think that we, who are the small units, should do the same. There were six and they have been reduced to five, but we will bind ourselves together. I am saying that we in Barbados today are very much concerned over Great Britain's joining the European Common Market. I hope, Sir, that we will join ourselves together.....

Mr. SPEAKER: Will the hon. member just bear in mind that this Resolution is asking the Government to set up a National Committee to study the effect of Britain's entry into the European Economic Community upon the economy of Barbados?

Mr. CORBIN: I thank you, Sir, I trust that when this Government get together to set up such a Committee, they will select some of the very best brains we have in this community. We will be able to send a commission to ask Great Britain to remember us when it is well with them. I trust that they will not leave us out. I do not believe that Great Britain will leave us out having regard to the help which we have been to her. I hope that the Committee will forward a very pleasant report for the help of Barbados.

Mr. SPEAKER: If no other hon. member seeks to contribute to this debate, now is the opportunity for the hon. senior member for St. Peter to make his closing remarks.

Mr. WALCOTT: Mr. Speaker, I do not think it is necessary for me to reply because of the manner in which hon. members spoke on this Resolution (*ASIDE*) The hon. senior member for the City is so anxious to buy a piece of land in Country Road.....

Mr. SPEAKER: Well, do not let us go from this subject to Country Road.

Mr. WALCOTT: I would like to thank those hon. members who have supported the Resolution, and what is more important is that we hope that the Government — it is true that no member of the Government has spoken on the Resolution but we hope that commonsense will prevail and they have not yet substituted anything for commonsense in this world. I hope that commensense will prevail in this matter.

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

Mr. SPEAKER: The next Order of the Day also stands in the name of the hon. senior member for St. Peter.

Mr. MOTTLEY: I am asking if the hon. member would give way for me to deal with Order No. 1. I was unable to be present to deal with this Order on the resumption of the sitting.

Mr. SPEAKER: Well, the hon. senior member for St. Peter did not rise when the Order was called. The hon. senior member for the City is asking leave that Order No. 1 be taken as the next Order of the Day. If there is no objection, the hon. member will be granted leave. *(After a pause).*

Apparently there is no objection and the hon. member is accordingly granted leave to deal with Order No. 1.

CHURCH VILLAGE GIRLS' SCHOOL VESTING AND DISPOSAL BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the hon. senior member for the City of Bridgetown:- To move the second reading of a Bill to authorise the Lord Bishop of Barbados and the Rector of St. Michael to sell the Church Village Girls' School.

Mr. MOTTLEY: Mr. Speaker, this is a non-controversial Bill. It seeks to give the Lord Bishop of Barbados and the Rector of St. Michael authority to sell the Church Village Girls' School. This property is comprised of a building with an area of 7,030 square feet of land. The building was used as an elementary school some years ago and the Government condemned it as being unfit for use as an elementary school. This building is now being used by the Bridgetown City Council and it is being rented. The Bridgetown City Council has agreed, subject to the approval of this Legislature, to buy this property, for the sum of £5,500 for the purpose of providing space for the Scavenging Department of which space this Department is in very dire need. This property is in the heart of Bridgetown and it is not being used other than by the Scavenging Department of the Bridgetown City Council. I might say that the money for the purchase of this property has already been borrowed. With those remarks, Mr. Speaker, I beg to move that this Bill be now read a second time.

Mr. GODDARD: I beg to second that.

Mr. SPEAKER: The question is that this Bill be now read a second time. Hon. members in favour of that will please say "Aye", those against will please say "No". I think the "Noes" have it.

A division was taken as follows:-

AYES: Mr. BATSON, Hon'bles W. A. CRAWFORD, G. G. FERGUSSON, A. DaC. EDWARDS, Messrs. CORBIN, WEEKES, LOWE, YEARWOOD, BOXILL, COWARD, SMITH, MILLER, SEALEY, LYNCH, GODDARD and MOTTLEY - 16.

NOES: Nil.

Mr. SPEAKER: The question has been decided in the affirmative sixteen hon. members voting "Aye" on the count and no hon. member voting "No". I now declare that the "Ayes" have it.

Mr. MOTTLEY: Mr. Speaker, as is customary, I beg to move that this Bill be now referred to a Select Committee.

Mr. SPEAKER: It is unnecessary for the hon. member to make this motion since the Bill being referred to a Select Committee follows automatically. Subject to the approval of the House I will ask the following members to serve on that Committee:-

The hon. senior member for the City of Bridgetown (Mr. Mottley); the hon. junior member for Christ Church (Mr. Goddard); the Hon. Minister of Communications, Works and Housing, (Hon. G. G. Fergusson); the hon. junior member for St. Thomas (Mr. Boxill); and the hon. junior member for St. George (Mr. Miller).

4.10 p.m.

Hon. W. A. CRAWFORD: Mr. Speaker, Your Honour will recall that earlier today I asked leave to defer the paying by the Government of a tribute to the late lamented Leader of Her Majesty's Loyal Opposition in Parliament, Mr. Hugh Gaitskell.

Mr. SPEAKER: I just want to enquire if all Private Members' Business is concluded for the day, or if any private member desires to continue his business until 4.30 o'clock. Apparently no private members desire to continue.

Hon. W. A. CRAWFORD: I am therefore asking for leave, Mr. Speaker, to make that the next Order of the Day.

Mr. SPEAKER: If there is no objection, leave will be granted. Hearing no objection, leave is granted. Let the hon. member proceed.

RESOLUTION OF SYMPATHY re DEATH OF Mr. HUGH GAITSKELL

Hon. E. W. BARROW: Mr. Speaker, on Friday evening last, the socialist world and indeed may I say the rest of the civilised world if such exists outside of the ranks of socialism, was shocked by the announcement of the impending death of the Leader of Her Majesty's Opposition in the House of Commons in the Mother of Parliaments, Mr. Hugh Gaitskell.

It is usual, I believe, Sir, when figures renowned in the field of international politics or great statesmen in foreign countries pass away for this House to express its sympathy to the relatives of the deceased. I will not in any way try to blemish this occasion by saying that tributes which have been paid on the floor of this House have not always met with universal acclaim or my personal approbation. To mention the name of Joseph Stalin would be invidious at this stage, but I certainly would go on record as deploring the fact that names like Stalin's should be treated with the same kind of respect as a true socialist like Mr. Hugh Gaitskell. Anyhow, the other Government elected to pay tribute to Mr. Stalin, perhaps because Mr. Stalin's hidden virtues appealed to the way of life of the members of the past Government, but unfortunately they cannot and do not coincide with my own.

When we come to the late Leader of Her Majesty's Opposition however, Mr. Hugh Gaitskell, I am very proud to say that I have always regarded Mr. Hugh Gaitskell as a personal example of what a democratic socialist ought to be. I remember, Sir, if I may reflect back on a recent debate which took place a few minutes ago on the European Common Market, that long before I went up to the United Kingdom and when the prospects of my appearance at the Commonwealth Prime Ministers' Conference as a representative of Barbados in the first instance and the Eastern Caribbean in the last analysis appeared to be somewhat dim, because the attitude of Her Majesty's Government had been at that time that only independent countries were entitled to grace a conference of that nature, Mr. Gaitskell corresponded with me and told me that it was vital that if I was coming up to England in any case, he would be very pleased to make his personal quarters at the House of Commons available, and he was looking forward to having some discussions on matters of mutual interest to the socialist movement both in the Caribbean and in the United Kingdom especially England, on the European Common Market.

When I arrived in England, Mr. Morgan Philips and Mr. George Brown were both absent and it was Mr. Gaitskell who welcomed me personally to the House of Commons and placed his staff, his chambers, his experience and his advice at my disposal. Mr. Gaitskell had gone to the trouble, Sir, of preparing a short memorandum for discussion on the background of the European negotiations, and for the next week, I think I spent at least eight hours per day in Mr. Gaitskell's presence. That had nothing to do with the functions to which he invited me from evening to evening, some of which I was able to attend and others of which unfortunately I had, through pressure of other work, to decline acceptance. It was Mr. Gaitskell who brought such diverse interests as the Prime Minister of Singapore and myself, the Prime Minister of Uganda, the Hon. Walter Nash, former Prime Minister of New Zealand, the Leader of the Opposition in the Australian Parliament and Mr. Diefenbaker the Leader of the Democratic Party of the Dominion of Canada together, so that at the end of 48 hours and for the rest of the time we were in England, you would have thought we were a Commonwealth cricket team because we went everywhere together under Mr. Gaitskell's able captaincy.

Not only did we meet for at least two or three hours every day to have discussions on matters of mutual interest as I said before, but we took the opportunity to explore all the avenues of Commonwealth co-operation which the United Kingdom Government was appearing to close in the faces of the people of the Commonwealth.

I am very glad therefore that the opportunity was afforded me before Mr. Gaitskell was called to his Maker to get to know him better and to be able to speak with some semblance of authority on the loss which his passing has created to the peoples of under-developed countries. 4.20 p.m.

We must never forget, Sir, that it was at the time of the Government of which Mr. Gaitskell was a member that the move towards West Indian Federation and the move towards the liquidation of the British Empire were definitely made. It is true now that Her Majesty's Government finds it convenient no longer to burden herself with the headaches of colonial administration but that is an entirely negative approach to the problem of international freedom in contradistinction to the very positive action which Mr. Gaitskell and his colleagues did, and he was in the forefront of the struggle even before he got into parliament between 1945 and 1951.

Mr. Speaker, it is very difficult at moments like this to do justice to the unusual work on behalf of humanity which people of Mr. Gaitskell's calibre have performed from time to time. I can only say that the socialist movement is a lot poorer by his passing.

Mr. Speaker, I forgot to mention that Mr. Gaitskell also took the opportunity in September last to summon a meeting of the leaders of the socialist parties from all over Europe and the Commonwealth as well — New Zealand, Canada, Australia, India, Ceylon, Tanganyika, Pakistan, Singapore, Nigeria, Ghana, British Guiana. I do not think the Federation of Trinidad and Tobago and the independent State of Jamaica were summoned but he certainly managed to rally together all the leaders of the socialist parties, all their representatives to a two-day conference at Transport House, the headquarters of the British Labour Party. This was a conference which I attended with the Chief Minister of St. Kitts and at which we were able to represent the points of views of the people of the Eastern Caribbean in connection with the problems which concern not only ourselves but people of like manner in other parts of the world.

Mr. Gaitskell was mainly responsible for convening this conference and although he was not the Chairman of the Socialist International but a Danish member of Parliament was, yet Mr. Gaitskell's hands guided the negotiations for the conference and I think perhaps that it would be of far reaching consequences to the people of this area.

A lot has been said both in the columns of the Press, even the columns of the Conservative Press and the columns of the more enlightened Press about Mr. Gaitskell. The Prime Minister of Great Britain himself and the President of the U.S.A. have both got on the air and broadcast their individual sense of personal loss in the manner of the death of Mr. Hugh Gaitskell and I only beg to move in that august company that this House passes its expression of sympathy to the widow and family of the late Leader of the Opposition of Great Britain, Mr. Hugh Gaitskell, and that a copy of the Resolution be sent to Mrs. Gaitskell.

Mr. LYNCH: Mr. Speaker, I rise to second the motion made by the Hon. Premier of the House. The whole world mourns the loss of a great political leader. Any man who can weld together and form into a fighting unit the bedraggled and disintegrated socialists of Great Britain is a man whose passing ought to be mourned. It is a measure of the greatness of Mr. Hugh Gaitskell, that those whose names are mentioned as being his possible successors — Mr. Winston Brown, Mr. Gordon Walker, Mr. Wilson — that all of them in the eyes of the people of Great Britain do not add up to much.

Mr. Gaitskell was a leader who did not resort to what some of his socialist predecessors did of clever chairmanship but rather believed in strong leadership which made him at some times unpopular with the rank and file of his party. He has left a void behind which in the socialist ranks cannot be filled and it is remarkable that his loss has been regarded as a double loss in that not only is the British Labour Party robbed of a leader but he was the only one who had the potential prime ministerial timber.

Mr. Gaitskell was an intellectual and a strong man who made mistakes and was not afraid to confess that he made mistakes. English politics is the poorer by his passing. It is perhaps a most significant measure of Mr. Gaitskell's greatness that his passing has left the whole future of British politics in the field of speculation.

Sir, it gives me very great pleasure to second this motion which seeks to have sent to his widow expressions of condolence from this Honourable House.

Mr. MILLER: Mr. Speaker, I do wish to say on behalf of my party that we feel it a duty to join in expression of sympathy in the passing memory of the great Mr. Hugh Gaitskell. I had two opportunities to meet him personally, one was at a cocktail party given by the Secretary of State for the Colonies and the second occasion was when as a member of the Fabian Society, a great deal of correspondence was passed between this great leader and the party to which I belong. I very well remember his signature.

This country is worried over the loss of Mr. Gaitskell because we were quite sure that through his leadership the British Labour Party would win eventually the next elections in Great Britain. It was very nice and refreshing to listen to the expressions of sympathy of our hon. friends of the Official ranks of the Opposition of such a great man as Mr. Hugh Gaitskell.

Mr. Speaker, it would take quite a long time to speak on the many things which strike one forcibly as one looks at the official Englishman and in his retired manner and general attitude towards life. As the last hon. member who spoke has said, Mr. Gaitskell had some difficult moments in his dealings with some of the members of his party. 4.30 p.m.

I think he will rest in living memory and we shall continue — in fact we will never get accustomed to the shock of death. We know that it was realised a few weeks ago that Mr. Gaitskell had fallen a victim to a strange virus and that the end was imminent, I suppose that has gone on all through the centuries, We, on this side, join with this Parliament in the desire that a cable or letter be sent to his widow conveying an expression of our sympathy and condolence from this Parliament of Barbados.

Mr. SPEAKER: I associate myself with the sentiments which have been expressed and the tributes which have been paid to the late Leader of Her Majesty's Opposition in the Mother of Parliaments, and I propose to take the action which has been recommended in the motion made by the hon. and Learned Premier and seconded by the hon. junior member for the City of Bridgetown. I now request that hon. members stand in their places for a minute as an indication of their unanimous sympathy with and support of the motion.

Hon. members stood in their places as requested by His Honour the Speaker.

Mr. SPEAKER: The motion has been passed and action will be taken in accordance with it.

LEAVE TO DEAL WITH RESOLUTION

Hon. W. A. CRAWFORD: Mr. Speaker, Your Honour will recall that earlier today amongst the Notices which I gave was one of a Resolution entitled "The Civil Establishment (General) (Amendment) Order, 1963" which is in connection with the establishment of the posts of ten officers in the Caribbean Meteorological Service. Copies of the Resolution were circulated during the day because it is highly important that these posts be established before the end of the current month; and in doing so it would be necessary

for both this Branch of the Legislature and the Other Place to pass this Resolution. Hon. members have had a chance to look at their copies of this Resolution, I am sure, and therefore I am asking for leave to deal with this Resolution as the next Order of the Day.

Mr. SPEAKER: In accordance with the intimation which the Hon. Leader of the House gave earlier today, he is now asking that this Resolution be taken as the next Order of the Day. If there is no objection, leave will be granted. *(After a Pause).* I hear no objection, and therefore the hon. member is accordingly granted leave to make the motion.

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that this Resolution be taken as the next Order of the Day.

Hon. A. DaC. EDWARDS: I beg to second that.

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

RESOLUTION TO APPROVE THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier:- To move the passing of the following Resolution:- Resolution that the Order entitled "The Civil Establishment (General) (Amendment) Order, 1963" made by the Governor-in-Executive Committee on the 22nd day of January, 1963, under the provisions of Section 3 of the Civil Establishment Act, 1949, be approved.

Hon. E. W. BARROW: Mr. Speaker, the Resolution which hon. members have before them seeks approval of the Order entitled "The Civil Establishment (General) (Amendment) Order, 1963" made by the Governor-in-Executive Committee on the 22nd day of January 1963, under the provisions of Section 3 of the Civil Establishment Act, 1949. The Resolution is for the establishment of the posts of Meteorological Assistants. Mr. Speaker, I was looking at the Resolution in order to see whether the Civil Establishment Order itself in the Schedule is correctly worded. However, the intention is to establish the posts of six Meteorological Assistants and in the Addendum to the Resolution you will see that at the Regional Conference held in Jamaica in October, 1962, it was agreed that a Caribbean Meteorological Service should be set up to take the place of the Federal Meteorological Service which expired on the 31st December, 1962, or was about to expire on that date, and which, in fact, did so expire. The position is that in 1962 there was in the Caribbean area three main Meteorological Services — one in Trinidad, one in Jamaica and there was one in the Bahamas. I am very glad to say that it augurs well for the future of regional co-operation in that whereas the last Federation was comprised of ten territories, the Caribbean Meteorological Service which was established in Jamaica in October, 1962, not only embraced all the territories which formerly comprised the West Indian Federation but it also embraces now three other territories which were outside the orbit of the West Indian Federation and those territories are British Guiana, the Bahamas and British Honduras.

There are therefore thirteen participating countries in the new Caribbean Meteorological Service; we made our position quite clear not only in Jamaica in October but also in Port-of-Spain at the Regional Service Conference which was held in July 1962, that Barbados intended setting up its own main Meteorological Station and that we would be prepared to provide a service with the other eight territories. The position is that despite the passing of the Federal Meteorological Service, we have to pay probably about $10,000 a year to the Government of Trinidad until we establish our own Meteorological Service.
4.40 p.m.

The other seven territories in the Eastern Caribbean also pay tribute to Trinidad for meteorological services, and British Guiana also pays a contribution towards the Government of Trinidad for running the meteorological services down there. That is still going on despite the fact that the Federal Meteorological Services went out of existence on 31st December last. The Government of Jamaica Services, the neighbouring territory of British Honduras and the Government of the Bahamas having a main Meteorological Station still work in very close co-operation with the Meteorological Services in Miami, Florida, and that is the link-up from North America to South America. It is considered that this region is vital to the efficient running of the World Meteorological Services. We intend to participate in the World Meteorological Organisation, and for this purpose we have decided to establish a central office in Trinidad with a very limited staff, but an essential Secretariat and panel of meteorological experts to organise training, transfers, recruitment and so on for the whole area. This is as far as we were prepared to go with the recommendations made by the Meteorological Office in London, who wanted us to set up an elaborate centralised unitary organisation which would cost something in the vicinity of $1/2 million a year. As a result of the conference which we had in London, the thirteen territories got together and unanimously, the United Kingdom consenting, agreed, to set up our own meteorological services in each territory so that no one could inhibit the right of any individual territory to say what type of equipment or services they should have, that we should take the meteorological offices on to our civil establishment, but that we would provide for the central meteorological office to carry out the functions which I have already outlined.

Mr. Speaker, the cost of that exercise is less than $50,000 for the central office as against $1/2 million, but in fairness, I am going to say that the cost to the individual territories would have had to be added on to the cost of the central meteorological office to get some concept of what they had in mind. There was a great degree of dissatisfaction to the standard of services supplied to the territories under the Federal Meteorological Service, and I would not be keeping faith with the members of this House unless I disclosed that. To give you an illustration, it is universally — I really mean universally in so far as mankind on the face of the earth is concerned, I do not mean amongst the members of the Barbados Government and our friends — recognised all over the world that Barbados is in a unique, geographical position, and therefore in a position where we can very often make forecasts on impending weather conditions more accurately than people in the Westerlies. I do not want to go into the technical reasons, but it is obvious to anyone living in this country. What we have discovered in the past is that we send information to Piarco in Trinidad which is the central organisation as we can see conditions developing here in Barbados, while they have to go and look at a book to find out what the weather in Barbados was, and according to protocol, we would have to ask them in Trinidad to tell us what the weather in Barbados was going to be when we could see it coming five or six hours before they knew anything about it. That is not an over-simplification, but it is a very precise and perhaps rather concise statement of the problem. Eventually at the conference, the delegates not only agreed that Barbados was the fit and proper place to run its own main meteorological services, but also to be the proper locale of a tropical meteorological institute.

As you know, Sir, the McGill University of Montreal, Canada, and the University of Florida are both doing very advance research in tropical meteorology in this Island already. They have promised me the fullest co-operation in the establishment of an institute, but we are in a position now to go ahead with the establishment of our main meteorological station from which we can provide forecasts for shipping and for air traffic without having recourse to the services in any other territory, I daresay, Sir, that we will be able to provide much more accurate forecasts for these different services, both marine and aviation, than are at present obtainable from any of the main meteorological stations in the area.

The establishment of a main meteorological station entails employment of trained meteorological forecasters and technical officers, and these people are usually of Uni-

versity standard, and graduates in physics, chemistry and mathematics. We are very fortunate that in Barbados four of the senior officers in the meteorological services of the Federal Government were Barbadians. We have at present six meteorological assistants we are asking for in this Resolution, but the four senior meteorologists were stationed in the Bahamas and in Trinidad, and since the Federal Service has come to an end in December, 1962, I understand that the withdrawal of the Barbadian Officers has caused that station to close down and to cease to function, and they now have a problem of recruiting people to man their meteorological station in the Bahamas. This is because the station was manned by Barbadians. There is one meteorological assistant on loan from Barbados to the Government of Antigua, and in Barbados we have five meteorological assistants who have not been in receipt of any salary since the closing down of the Federal Service.

The point however, Sir, is that as long as we want to get information for air traffic chiefly, we must provide Trinidad with information for Trinidad to process that information with all the other data which they get from other sources to feed it back to air traffic coming into our Airport in this Island. It may seem a rather involved procedure, but the reason why we do not do any processing here in Barbados is because the Federal Government never placed any forecasting officers in this Island. Forecasting is a highly specialised exercise and calls for highly qualified personnel. Fortunately I think we should be able to recruit Barbadians because we do have them fully trained and we have them with the necessary amount of experience not in this territory, but certainly, I believe, they will become available. The present situation is that we have these five meteorological assistants working in the Island at the present moment and they are not attached to anybody, and that is why we have asked the House of Assembly to let us deal with this Resolution in all its stages today. Better could not be done in getting this before the House earlier than today's sitting.

There is one other officer in Antigua, Mr. Speaker, and I suppose that the Government of Antigua will now make some provision for repaying the Government of Barbados the cost of keeping that officer in Antigua, but we do have these five Meteorological assistants now working at Seawell Airport, and it is highly desirable that their services should not be discontinued because we are under a contractural, legal and international obligation to provide information from Seawell Airport which is an international airport as you know, Sir.
4.50 p.m.

If we do not have these officers here, then there is a gap in the whole line of the Eastern Caribbean and the information would be deficient and it can possibly involve risk and hazard to aircraft coming into our own airport.

I, therefore, beg to move that this Resolution do now pass.

Hon. W. A. CRAWFORD: I beg to second that.

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

FIREARMS (AMENDMENT) BILL, 1963

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Order No. 3, be the next Order of the Day.

Hon. A. DaC. EDWARDS: I beg to second that.

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

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. and Learned Premier, second reading of a Bill to amend the Firearms Act, 1896.

Hon. E. W. BARROW: Mr. Speaker, you will remember that in June last year at the time of the budget proposals, I mentioned that it was the intention of the Government to increase the licensing fee for firearms and also to increase the penalty for unlawful possession of firearms. I also stated then that it was the intention of the Government to introduce this legislation before 16th January, 1963. We are now a few days late, it is true, but it is due to the exigencies of the Christmas season and the vacation which we had and which I hope all hon. members have enjoyed, that we were unable to present this Bill in time for the beginning of the new licensing period, which starts the 15th January, 1963. However provision is made in this Bill for the collection of the additional fee between the 16th January and the date when this Bill comes into being.

Sir, I do not think it is necessary for me to go into the different provisions but I would just like to say that we have made provision that the penalty for unlawful possession of a firearm be increased from one pound to $500. In the same way at the last sitting of the House when we tried to amend the Perjury Act to impose severe penalties for the abominable crime of perjury and there were wails from members on the other side of the House, I expect to hear similar lamentations today but I always say that those who obey the law have no reason to fear. If we appear to be increasing the fines by a considerable amount it is because the Government considers the unlawful possession of firearms may lead to the possible loss of lives if they are in irresponsible hands.

I have in mind that some period of amnesty should be given as was done in the United Kingdom some sixteen years ago when a similar enactment was brought into force. It was a period of eight weeks to three months where people who had firearms in their possession and did not possess licenses were invited to surrender them to the police without any fear of prosecution and by leaving that amnesty an arsenal of weapons was presented to the police. Whether people here would take the risk of being discovered and refuse to bring up these firearms and give them to the police or whether they would throw them away in a suck well is a matter of conjecture. There is no provision in this Bill for such an amnesty but certainly I would be prepared to recommend to members of the Cabinet and the Commissioner of Police that some amnesty should be granted so that people who have firearms in their possession without paying licences for them would have the opportunity to hand them up to the police since you are now liable to such a large fine to have such a weapon in your possession unlawfully.

The penalty for the unlawful sale or letting or hire of a gun or for the failure to register the sale or transfer of a gun has been increased from £5 to $500.

I cannot tell magistrates how to do their job but, personally, if I were a magistrate, after this Bill comes into effect I would take the maximum penalty as the minimum penalty. I do not have any sympathy for people who break the law and very often the possession of a firearm is not only to the peril of the possessor but a peril to the community. We have had some unfortunate shooting incidents and after dealing with this Bill for firearms because of other incidents that have taken place I think that we would have to deal with persons with the possession of such weapons as switch blade knives and so on.

I may say that if we are to lose votes by this, we would gladly lose them. These votes are well lost votes. If our political support is going to depend on encouraging lawlessness in this community then this party prefer not to have those votes. Those other parties who raise howls and wails can have them and I would be satisfied with the votes of the decent people in this community.

Then, Mr. Speaker, for refusing to declare your name and place of residence to a Justice of Peace, Officer of Inland Revenue, etc., or failing to produce on demand a licence granted under the Act, the fine has been increased from £2 to $200.
5.00 p.m.

As to a person who has an unlicensed gun on his premises on the execution of a search warrant, the fine is

increased from £5 to $500.00. There is also a penalty for being drunk while in possession of a loaded firearm and that penalty is not so severe because a person may, go out to celebrate his son's or daughter's marriage or something like that, he may just indulge himself a little too much and he may be deemed to have committed an offence. The fine in that case is only raised from £1 to $250, but for selling a firearm to a person under a similar condition, which is a much more serious offence, the fine is increased from £25 to $500.00. There is also an offence for failing to register the ownership of a gun and that fine is increased from £10 to $250; as to the failure to renew a gun licence within fourteen days or failure to notify the Commissioner of Police as to the disposal of a gun, the fine is also increased from £1 to $500.

When we come to Section 12, it is proposed that the maximum penalty for the unlawful importation of rifles or revolvers of .450 calibre or .455 calibre or for the unlawful exportation of firearms should be increased from £10 to $500. As regards Section 13, it is proposed that the general penalty for contravening any provisions of the Act for which no special penalty is provided should be increased from a maximum of £15 to a maximum of $500.

Mr. Speaker, I would only like to remind hon. members that the Firearms Act is dated 1896 which is some sixty-seven years ago and it is rather ridiculous that, in this age, there is an increase in the use of firearms after two World Wars and an increase in delinquency and irresponsibility through no fault perhaps of the people themselves who are victims of circumstances, and we have to safeguard the members of the community. I do not understand why people want to walk about with guns anyhow. People who have licensed guns may be suffering from psychological insecurity itself or they are basically enemies of society who want to go around looking for somebody to destroy. In Barbados if we can remove the threat of persons being held up with firearms or with offensive weapons, I do not think that there is any defence for people to walk around with guns or weapons of that kind. It is a question of arresting mental development. People who apply for rum licences are being refused because apparently guns knock around and that leads to gun traffic. That is just something personal and it does not reflect on the other members of the Cabinet. With those remarks, Mr. Speaker, I beg to move that this Bill be now read a second time.

Hon. G. G. FERGUSSON: I beg to second that.

Mr. GODDARD: Mr. Speaker, I should like to say that there are far too many occasions on which guns are being used in the course of disputes, and the same thing applies even to knives. However, there is something which I would like to ask the Hon. Premier. There are certain associations which come under the control of the Barbados Rifle Association and there are also clubs. They have these rifles there, I do not know under whose names they are, but there is some concern as to whether these people would be permitted to go on using these rifles as they have been doing in the past. That is what I would like to know from the Hon. Premier. I do not think that there is any provision whereby these clubs can be excluded from the Act. I am wondering whether the Commissioner of Police would allow these clubs to continue as they have been doing in the past. I may say that this is nothing peculiar to Barbados. There are Rifle Clubs in all countries and as long as they are controlled, I really do not see any trouble in that. At the present time, certain equipment, including cartridges, is allowed to come into the island free of duty and I want to know if this matter would be permitted to come under the careful supervision of the Commissioner of Police.

Mr. Speaker, I am in agreement with the other provisions of the Bill. There are far too many people who are walking about with guns, and I feel that if people hold up other people with guns, then they should be given very long terms of imprisonment. There would then be no need for people to protect themselves against a possible robbery with violence. The severity of the provisions or the punishment should be against the person who is determined to rob other people with violence whether it be with the use of a gun or any other weapon. I do not think that the law could be too strong on that point. If you stamp out this sort of thing I am saying that people would not need to walk around with guns and I do know that after a few drinks guns can be brought out at peculiar times. I want to know if the Hon. Premier would say something about the Small Bore Rifle Club which now enjoys a certain relaxation of the Act.

Mr. BOXILL: Mr. Speaker, what I would like to know is this: What is to happen in relation to the thousands of people in Barbados who are decent minded people who already have guns but who did not purchase a licence in order to get those guns? *(Laughter)*.
5.10 p.m.

What I would like to point out here is this: as the law stands, one must first acquire a licence before one can buy a gun. I am a factual man. Quite a number of decent-minded people in the Island who are not crooks and have no intention of holding up anybody keep guns on their persons or in various places for their protection. Sometimes you happen to park your car in a secluded spot; what your intentions might be no one knows, but up comes a prowler and sticks a gun in your face. It might not be a real gun; it might be a mock pistol, but the man has unnerved you. You might be waiting for your wife and up comes some man who has the intention of robbing you. This man snaps out a pistol and at that time you are not looking to see whether it is a real gun. Perhaps he may take out a cigarette lighter and he may demand your pants. What I would like to know is what would happen to that man.

What I am trying to bring out, Mr. Speaker, is that some of these people who have guns in their possession should be allowed to make representation to the Commissioner of Police for a licence to keep them. If in the Commissioner's opinion that person is not a qualified person to keep a gun, by all means he should surrender the gun, but if on the other hand that man in the Commissioner's opinion is qualified to keep a gun, he should be issued with a licence. I have nothing against the penalty. I do not have a gun yet, but when we come here to do the people's business, we cannot do it in a selfish manner; we have to think of the repercussions of these things. Sometimes people do things hot-headedly, not that I am accusing anybody of being hot-headed, but these things happen. I would like the Premier when he answers to tell me whether he ever thought of this amendment coming up and what he has to say on it.

Mr. SMITH: Mr. Speaker, I really did not want to say anything on this Bill, but when the hon. Premier referred to members of other Parties supporting criminals, he looked over here.

Mr. SPEAKER: If he looked over and not across.....

Mr. SMITH: He looked across here. I do not mind that because he can look wherever he likes, but I am appealing to the Hon. Premier especially when he is talking about criminals to be more than careful, because I know he was a lawyer and it was his job to support criminals.

Hon. E. W. BARROW: On a point of order, I am afraid the hon. member has it wrong. Criminals supported me. *(Laughter)*.

Mr. SPEAKER: I was about to answer the hon. member. I take it decent persons as well.

Mr. SMITH: Now, Sir, as far as I gather from various speakers, this increase in the fees for firearms tends to prevent people from using them so frequently and from carrying them on their persons, but there are some persons who can use a stone better than a gun. There are some people who can kill you with a stone better than with a gun; so the Premier should try and put a fine on stone users if this is to prevent people from destroying others. Not long ago I think one of his colleagues successfully got off a girl from killing a man. Was it with a gun? It was with a knife, but the man still lost his life. What difference is there in

taking a life with a knife and taking one with a revolver? I am not saying one word about the increase of the penalty; you can make it more as far as I am concerned, but I am not in agreement with the arguments for putting it on; they do not hold water with me because there are some people who cannot use a gun but who can use a stone. I think a boy killed a big man in the park with an iron ball; he did not have a firearm, but he still took the man's life; so I feel that the Premier had better start thinking how to try to obliterate something of that nature, and if the purpose of this Bill is to prevent killing, he should increase the penalty further. He is not going to get anymore as far as that is concerned, because some people keep firearms in a place where police can search and never find it. The Hon. Premier is therefore penalising the ones who are already paying but not the ones who are not prepared to pay. Those are all the arguments I wish to put forward.

Mr. CORBIN: Mr. Speaker, before you put the question, I have listened to the various speakers on this Bill, and I associate myself with the remarks of the Hon. Premier that any man who is found with an unlicensed gun should be made to pay the penalty, and there is no penalty too great for that man who has an unlicensed gun in his possession. I am only sorry that the dollars are not the same as the years or months, because I know the mischief which is occurring in Barbados with sharp-edged weapons and revolvers. Just a week ago, a friend of mine was attacked on the street and two shots fired at him.

Mr. SPEAKER: I trust this reference is not to a matter which is *sub judice*.

Mr. CORBIN: No, Sir. Any man found with an unlicensed gun should be made to pay the penalty of $500 or 500 months, or he should be fined and confined, because I know the mischief and the danger that can occur. People refuse to work and go around and break other people's homes. They take these risks because they have a firearm, and they hold up people coming from the Bank or from work with their money. All this takes place and the law is not serious enough. I hope that something greater than the penalty will exist for such people who carry firearms to do mischief. Those who have firearms and cannot pay for them should surrender them to the Commissioner of Police. If they do not want to surrender them, they should pay for them or throw them in a well, though, if they do that, the well diggers may find them. I heard the hon. member say that there are thousands more weapons not paid for today than those that are paid for, but I think if we had keen eyes, we would know who had and who did not have a gun, and we have a right to report those who are not of good character to the police. It is our duty to protect the community on the whole.

5.20 p.m.

Mr. LYNCH: Mr. Speaker, hon. members on this side of the House are equally enthusiastic about the maintenance of law as those on the opposite side. I am wondering, Sir, whether the provision in this Bill which says that the maximum penalty of $250 for being drunk when being in the possession of a firearm does not do violence to commonsense when it is considered that the maximum penalty for having an unlicensed firearm is $500. I am thinking of people setting out to weddings of a son and daughter fully armed though they are weddings other than shot gun weddings. When wine is in, the wits are out. I consider the possession of a gun is a menace to the community particularly when one being drunk has it in his possession, therefore, I think that a feasible fine should be higher than $250 when it is considered that the fine for being in the possession of a firearm when not under alcoholic influence is twice that amount.

Mr. WALCOTT: Sir, this matter is very important and it is one of the things which should be rectified long ago. Speaking for myself, I think there are too many people in Barbados who are in the possession of firearms and you should have severe penalties for contravening the law but what I do not like is that in the course of the remarks by the Hon. Premier in introducing the Bill, he, by implication reflected that they are members on this side of the Table who encourage people to walk about with firearms.

Hon. E. W. BARROW: Mr. Speaker, I rise on a point of order. I do not think the hon. senior member for St. Peter was in his place when I spoke so he should not go by hearsay. I said if they elected to support other political parties they were free to do so. I did not say that other political parties encouraged people to walk about with firearms.

Mr. WALCOTT: Sir, there are hon. members on this side who are not within the context of members of parties and even members on this side who are within certain parties, I do not think that we are living in an age where we would encourage people to be criminals or that sort of thing.

I think this thing should be originally adhered to and I say, as a community grows in size like we are growing, it is very important to have restrictions on the use of these implements because people who are in a temper can easily get in trouble and then you must also bear in mind that there is a certain amount of ignorance which prevails among certain elements of the community. You will find, and it is one of those stupid things that take place, that the first thing they think that they must possess is a gun or a revolver. They believe that it gives them a certain amount of dignity and you will find men who do not have a sort of good shirt who think nothing of spending $40 or $50 on a revolver. It gives them a feeling if they go to a dance and somebody challenges them to a fight that they have a very important weapon on them which they can use.

I have my own philosophy about a gun. People who normally should have guns do not use them but very often you find that they are stolen from them. People who should normally have a gun are afraid to have them about their place. They feel that if they put them under their pillow when they go to bed, they can very well shoot out their own brains and they do not like keeping them about the place. I have had a joke of a gentleman who had a gun so he thought it would make some fun if he told a person, do not come any further. The other person came further and he fired a shot in the air. He did not think of the consequences. The other person who had a gun also started a barrage of fire at his car and if he did not have a revolver too, he would nearly lost his life out of showing he had a gun, not realising that the other person who pursued him also had one. At the slightest thing we find that they are some people who would take out a gun and start shooting it off. You must have stiff penalties under this Act. Sir, I have not read the Bill very thoroughly but for people who sell firearms there should also be very stiff penalties whether it is for selling under the counter or not.

Sir, I consider that this community is growing in intensity and violence and if these different pieces of firearms are in some people's hands, those people become very violent easily. As I have said, I agree that the penalties should be very stiff.

The Hon. Premier has said that he would like an amnesty to give an opportunity for people to bring in their weapons to the police. I think that instead of doing that he should have asked the reverend gentleman who was carrying on some religious services in Queen's Park last week to have done this thing for him because I understand that at those services he made them go to their pockets and throw away the tobacco and cigarettes which they had, so if you had asked him, he would have told them to go to their pockets and pull out their revolvers and they would have pulled them out right there. May be, the Hon. Premier can have an amnesty for them to deliver up the weapons. It would be a nice revelation but I do not think that it would have any meaning with people who have unlicensed revolvers. As a matter of fact, I believe there are more people with unlicensed revolvers than those who are in lawful possession of firearms. They have the privilege of not paying the license and some of them know very well that if they go to get it licensed that they would get the weapon taken away from them because they would not come under the category of people who should have firearms. As I have said, it would be a nice thing for the Hon. Premier to tell the people with unlicensed firearms that he is giving them an opportunity to deliver them to the police and that opportunity will reveal whether we are living in a paradise or not.

Mr. Speaker, I agree that these fines and penalties for having firearms unlawfully should be heavy and they should be at such a stage in which you would actually make it impossible for people to want to have these things, those people who do not have any use for them. There are people whom you must allow to have them and those people in the normal way do not get into trouble by having them in their possession. I have pleasure in supporting this measure but, as I have said, I do not think the amnesty which the Hon. Premier thinks about would be effective in Barbados as it was in England.
5.30 p.m.

Mr. SPEAKER: If there is no other hon. member who desires to contribute to this debate, the Hon. Premier may reply at this stage if he thinks fit so to do.

Hon. E. W. BARROW: Mr. Speaker, the hon. junior member for Christ Church has asked certain questions relating to the position of the members of the Barbados Rifle Association. Under the Firearms Act of 1896 Chapter 4, the hon. member will find that there are certain organizations, if I may describe them in that way, there are certain categories of persons who are exempted from the penalties under the Act. In Section 3 Subsection (1) (a) of the Act, it provides that the penalty shall not be incurred by the following persons, and those persons are set out as follows:-

"(a) any person in the naval or military service of His Majesty, or in the Police Force of this Island, having, using, or carrying any gun in the performance of his duty, or when engaged in target practice;

(b) any person carrying a gun belonging to a person having in force a licence under this Act, and at the request of such licensed person, and for the use of such licensed person only, if the person carrying the gun shall, upon the request of any officer of inland revenue or any constable, or the owner, or occupier of the land on which such gun shall be used, or carried, give his true name and address, and also the true name and address of the licensed person;

(c) any gunsmith, or his servant, carrying a gun in the ordinary course of the trade of a gunsmith, or using a gun by way of testing or regulating its strength or quality in a place specially set apart for the purpose;

(d) any person carrying a gun in the ordinary course of his trade or business as a common carrier;

(e) any trader having guns in his store for sale;

(f) any auctioneer having guns at his sales room for sale;

(g) Any member of the Barbados Rifle Association having, using or carrying any gun exclusively for target practice as such member.

Those are the categories of persons who are exempted from the penalties under the Act; therefore I do not think that the hon. junior member for Christ Church need have any fear because the Bill which we have just introduced only makes collective changes in the penalties which should be imposed by a magistrate on the conviction of an offender under the Act.

Mr. Speaker, I should just like to add this in conclusion. The danger about people having unlicensed guns is this; the hon. junior member for St. Thomas has demonstrated a situation in which seemingly law-abiding citizens may, for their own protection, find themselves constrained to arm themselves with guns or pistols or revolvers or some other weapon of that nature; that may be purely for self-protection and not for use as an offensive weapon or instrument of destruction under any other circumstances. We cannot take judicial notice, of course, that such a class of persons exists, but I believe their name is legion especially of the element of the younger generation, the element of the hon. junior member for St. Thomas who are known as gay blades. Be that as it may, the danger of even condoning the possession of firearms by people who consider themselves or who other people may consider to be normally law-abiding citizens, is that very often these firearms get stolen by people who are not law-abiding or responsible. For the simple reason that the so-called law-abiding citizen had not taken the precaution to get a licence for his gun, he cannot report the matter to the police. Responsible citizens owe a duty to the rest of the community either to try to obtain licences or to deliver their guns to the Police Authorities.

Although the hon. senior member for St. Peter seems to think that this kind of dedication would only arise during the time of a religious crusade or revivalist meeting, I do think that there is still room in this country for the advice which I have outlined of having a period during which people can apply for licences or surrender the firearms in their possession without any fear of prosecution by the Police for so doing. There are too many unlicensed firearms in this island. We have tightened up at the Airport on the emigrants returning from the United States of America and it is a little more difficult to tighten up at the Bridgetown Harbour where ships come in every day and people are prepared to sell guns and they are not usually searched when they pass through the Customs because it is not considered that you should make severe restrictions on mariners, sailors or people who use the Port in the normal course of their duty. That is the real danger in the community. Unlicensed firearms come in every day and there are more unlicensed firearms knocking around than there are licensed firearms knocking around.

Mr. Speaker, it is surprising that you will find that people who are supposed to be the law enforcers — I do not want to call any particular names — are very prone to acquire firearms because they think that they all need protection. If you want to stop the law enforcers from breaking the law you have to stop the law-breakers first. When the law-breakers find that they have not got to arm themselves any more then you will get a greater measure of law enforcement in the community. As to the number of firearms there are in the country right now, it is difficult to say because I do not have the information available on the matter. However, one can easily find this out from the Estimates where you have the licences set out and you can divide the amount received from firearms by the license fee which was $5 and you will arrive at the number of firearms.

Away back in 1953 the number of licences which we had issued were 1,237 pistols, 675 shot guns and 282 rifles. That was in 1953. I do not know what the position is today.
5.40 p.m.

I do not know what the position is today, but I have a feeling, Sir, that there are far more firearms in this country than disclosed by these figures in 1953. I think the number has substantially increased with the return of migrants from the United States of America and other countries.

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

On motion of Hon. W. A. CRAWFORD, seconded by Hon. G. G. FERGUSSON, Mr. SPEAKER left the Chair and the House went into Committee, Mr. BATSON being in the Chair.

Clauses 1 to 10 inclusive were called and passed.

Clause 11 was called.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 11 stand part.

Hon. G. G. FERGUSSON: I beg to second that.

Hon. E. W. BARROW: Mr. Chairman, when the House was doing the second reading of this Bill, some hon. member asked what was the approximate number of licensed firearms in this country. As you will see from the provisions of the amendments, Clauses 5 to 11 make provision

for the increase of the licence from $5 to $10. The position is, Sir, that last year we received $12,000 in fees in respect of firearms licences, and by simple arithmetical calculation, I would say that the number of firearms which are licensed in this country appears to be in the region of 2,500 which includes shot-guns, revolvers, pistols and rifles.

The question that Clause 11 stand part was put and and resolved in the affirmative without division.

Clause 12 was called and passed.

On the motion of Hon. W. A. CRAWFORD, seconded by Hon. G. G. FERGUSSON, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. W. A. CRAWFORD, seconded in each case by Hon. G. G. FERGUSSON, the Bill was read a third time and passed.

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Order No. 2 be the next Order of the Day.

Hon. G. G. FERGUSSON: I beg to second that.

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

THE INCOME TAX (AMENDMENT) ACT, 1963

Mr. SPEAKER: Order No. 2 stands in the name of the Hon. Premier to move the second reading of a Bill to amend the Income Tax Act, 1961.

Hon. E. W. BARROW: Mr. Speaker, the Party of which I have the honour to be Chairman has been accused of a lot of things in its time. The latest accusation which has been levelled against it is the anxiety to implement the promises which were made at election in its manifesto. I think that a wonderful tribute appeared in what otherwise purported to be a scathing criticism — incidentally this also is now a political indictment — that we are in a hurry to implement the things which we have promised the people we would do. That appeared in the columns of the Press I believe today or yesterday.

This Bill which we now have before us is another effort on the part of the Government to implement the promises which they extended to the people of this country at election time. You will remember, Sir, — and I presume that you have had the opportunity to read our manifesto because a copy was laid on the Table of the House at the same time as the programme of policy — that we promised we would reduce the tax on dividends of investing non-resident companies and persons from what used to be 7/6 in the pound or 40% to 2/6 in the pound which is 12 1/2%. 5.50 p.m.

There is a queue of investors awaiting the passage of this Bill. We know the several investment houses who are prepared to invest money in various schemes in this Island and we also know individual effort and private enterprise and I know this because they have made contacts with banks or other institutions who are prepared to loan money to extend their business provided they have some dispensation as provided by this Bill.

It is true that the neighbouring territory of Trinidad appears to have gone a lot further in this matter of inducement of capital from outside but at the same time we in Barbados always have to keep an eye on Government's revenue and the overall financial position. We are not in the happy position of getting 40% of our revenue from oil royalty or any other kind of royalty, therefore we cannot enter into competition with territories like the independent territory of Trinidad. However, at the same time, I must say that the investors themselves sometimes will agree happily to pay 12 1/2% in Barbados although there is completely free exemption in Trinidad.

Let me give you an analogy. There are a lot who would agree to pay 2/6 in the pound here rather than go to Trinidad and get their money free of taxation. A person whom we had negotiations with recently said that he had every reason to be happy if the financial provision which we are making in this Bill comes into effect and we are satisfied at the present moment that it is not necessary to give complete exemption. If such a time comes, then we will have to reconsider the whole matter.

That is the first amendment of the Bill which we have before us but there is another amendment which is of interest to local residents and citizens. I cannot say "investors" or "capitalists", because this dispensation is going to apply to every single member of the community, so nobody can accuse us of making provision for a non-resident capitalist as against local investors or local people who want to make a deposit.

I have had talks with the Bank of England both in England and with Mr. Bennett who came out here and what we are prepared to do is that persons who deposit money on the Government Savings Bank would not have to pay any tax at all on the interest of the first $5,000 or part thereof, therefore, Barbadian residents are a lot better off. When you come to a man in the million dollar bracket, the depositor would have to pay 12 1/2% of whatever his personal income tax may be. I think we have successfully solved the problem of giving incentives to the local persons who have managed to save up a bit of money and it is also an inducement to monopolise the savings of the people of this community. They need not have any fear that this Government wants to get their money to impose any further restrictions which we intend to make in this Bill. What we probably may do at a later stage is to increase the amount of deposits which would be exempted from the payment of income tax. Those are the general purposes of this Bill.

There is only one other provision which I should draw to hon. members' attention. I cannot remember the concise figures — I can get them — but we have $1 1/4 million or $1.3 million in unpaid income tax. We cannot afford to go on with these huge arrears of uncollected income tax and there is provision in Clause 5 which states that when and as often as income tax is not paid within the prescribed time, an additional duty of five per centum on the amount of the unpaid income tax shall be added thereto and paid accordingly, and when and as often as income tax is not paid within the prescribed time, interest shall accrue on such unpaid income tax at the rate of six per centum per annum and shall be calculated at the expiration of every month as from the prescribed time.

Therefore, when you get a Demand Note or Notice of Assessment, as it is called, from the Inland Revenue Department, you pay a penalty of 5% if you do not pay your income tax within the prescribed time. That is the penalty already imposed here from time to time. In addition to that if you do not pay that interest of 5% in the prescribed time you have to pay at the rate of 6% per annum but it is calculated at the rate of 1/2% per month over and above that penalty of 5% and it works out to 6% per year. Therefore, at the end of the first year, if you do not pay your income tax you will find yourself paying 11% on it and this is done as an inducement for people to pay their tax early. You pay 5% now if you do not pay it within the prescribed time without complaint but when you come to this extra 1/2% per month after the prescribed time, the people who owe tax will have to think if it would be profitable every month for them to have this additional taxation. I should explain that it is not 5% plus 6% but an accumulative tax of 1/2% per month on the unpaid tax and that is an attempt to induce people to pay their income tax more promptly. This would not in any way affect the average wage-earner because he pays his income tax under the P.A.Y.E. system. It will affect those business houses, traders and people of that kind who find it cheaper to owe income tax than to borrow money. 6.00 p.m.

You will find that a lot of people will make a very fine calculation and say that the Bank is lending money at 7% and if they wait a year they will pay a 5% penalty and therefore they will use the money and get their Christmas goods and after Christmas they will pay the 5%. We are not a banking institution in the Inland Revenue Department; we have to pay out salaries and bonuses at the very time when these people are withholding money from us. I should like to say that this is not an imposition on the small man; it is not the small man who is using the Government as a Bank and using the Inland Revenue Department as a kind of finance corporation. The people to whom I have referred are the people who will be affected. I do hope that the provisions of this Bill will commend themselves to all hon. members. I beg to move that this Bill be now read a second time.

Hon. G. G. FERGUSSON: I beg to second that.

Mr. MILLER: Mr. Speaker, I wanted to remain in to say a word or two on the Firearms Bill, but in connection with this Bill I should like to say that this is strange and unusual from the ordinary practice. Paragraph 1 of the "Objects and Reasons" of this Bill states this:-

"This Bill seeks to amend the Income Tax Act, 1921, to such an extent as is necessary to give effect to the following proposals. (1) that income tax at the rate of 12 1/2 cents in the dollar should be payable upon such part of the income of a non-resident person, whether or not an individual, as is chargeable with income tax."

That could only be treated as a 40% collection. Paragraph (2) of the "Objects and Reasons" says this:-

"That interest payable on borrowed capital employed in acquiring income upon which income tax is payable will be allowed as a deduction with respect to the person paying the interest provided that the income of the person who receives the interest is either exempt from income tax or the said interest is chargeable to income tax as part of his income.

Mr. Speaker, that does not apply to the small man; that is where the big businessman will be in a position to operate and if he had $2 million in collateral security, that is not likely to assist the man who is at the bottom. He would always be unable to get a loan because he is unable to put up the necessary collateral and establish a claim as to the earned income.

Paragraph 3 of the "Objects and Reasons" states this:-

"That with effect from the 1st January, 1963, if income tax is not paid within the prescribed time, interest at the rate of 6% per annum should accrue thereon and should be calculated at the end of every month as from the prescribed time, but that such interest should not be paid except the said income tax and the additional duty of 5% thereon are paid after the expiration of six months from the prescribed time."

There is a surcharge or an additional charge of 5% and interest at the rate of 6% per annum on the income tax will make a total of 11%. The man who is forced to pay the additional duty is not the man who will toy with an additional overdraft at Barclays Bank. If you have an average of $1 1/4 million dollars, that is a gadget by which you will increase taxation and this will invariably fall on the small man. The big business man will never be in any trouble to pay his income tax and, what is more, he will never worry about that; it is the small business man who will be affected by this. The big man will go scot-free with whatever the interest rate is, and he will always be in a position to pay his income tax. I have had to do with this matter; I have had to do with thousands of names in this matter in Cabinet. You have to go far in order to see where this money is accumulating and where persons have not paid.

Mr. Speaker, this Measure will involve the small struggling business man; you calculate what 6% would mean on $1 1/2 million in the Treasury. To pay 11% on any capital on which you are paying 40% you will see that there is a sort of business which can thrive in this way. If you want to examine this matter you should examine where this $1 1/4 million has been left unpaid. According to paragraph 3 of the "Objects and Reasons", this Bill proposes that with effect from the 1st January, 1963, if income tax is not paid within the prescribed time, interest at the rate of 6% per annum should accrue thereon, and should be calculated at the end of every month as from the prescribed time, but that such interest should not be paid except the said income tax and the additional duty of 5% thereon are paid after the expiration of six months from the prescribed time. In the first place you have a tax of 40%. Then there is a surcharge of 5% and, as I say, this will invariably be borne by people who are in the lower bracket. Looking quickly at paragraph 2 of the "Objects and Reasons" of the Bill, it provides that interest payable on borrowed capital employed in acquiring income upon which income tax is payable will be allowed as a deduction with respect to the person paying the interest provided that the income of the person who receives the interest is either exempt from income tax or the said interest is chargeable to income tax as part of his income"

That is the type of person who can borrow money from the Bank and have collateral to pay off. That is not going to apply to the struggling wretch who lives in a board and shingled house; he will never be in a position to be able to collect anything. This Measure is designed to bring money into the Treasury; we are not quarrelling about it because we know that you want money. When you have a Treasury balance of $1 1/4 million of unpaid income tax, you will see where the money is being owed. This is like flogging a dead donkey and you can beat it with a quarry drill; that does not mean that it will get up and live. The Hon. Premier will know this.

6.10 p.m.

You have a responsibility to the community, but the people who really compete for the purchase of guns happen to be men in the Police Force who are expected to carry out and enforce the law. We know this is unfortunate, but it is true. The Premier knows that people compete in prices for a nice-looking firearm, and you would believe that D'Arcy Scott was at work at the Mart, and probably when he says there were perhaps 2,500 firearms sold in this Island.....

Mr. SPEAKER: I do not think the hon. member should revert to the Bill which has just been passed on the Firearms Act.

Mr. MILLER: It revolves on that, because I should be allowed to set it aside as expense just like a dog licence.

Mr. SPEAKER: That may depend on the nature of the hon. member's business.

Mr. MILLER: I have not got a firearm and if you gave me one, I would refuse it and send it back to you with a paid Bill; but I am unhappy about this. The Premier has been shying away from the facts. At the last meeting we were talking about perjury and having a fine of $1,000 and a reduction of the seven years, but I see that you are giving directions of a maximum fine in this. Mr. Speaker, I am unhappy that this 6% is going to be borne by a section of the community least able to bear it. I know the struggle that exists to put some money into the coffers of this Government. I know that several capital programmes have been denied and neglected because there are no pounds, shillings and pence, but I know that on calm calculation and critical examination you will discover, that this is bound to make the poor struggling wretch poorer, and it is obviously clear that you are going to make rich and wealthy businessmen richer because they are in the position to say for the first time that this money is paid on overdraft on which they paid 7% and hence they will get a reduction, while the poor, struggling wretch with a little shop never has collateral on which to operate with an overdraft and is not entitled to it. To superimpose this 6% is really adding crime to injury on the poor chap who is least able to pay, and I believe that the Premier with his knowledge of finance and what have you is bound to see this. You will leave an unpaid balance of $1/4 million. Do you think that C. F. Harrison and Goddards will pay this?

They will always say they are operating on an overdraft. I do not want the hon. junior member for Christ Church to take me up because I know he leads a Christian life and will say it is true; but the poor fellow who in the first place cannot get the reduction and has to pay the maximum tax, and who is unable to pay the tax at 60 cents and 61 cents is now asked to pay in full. It is a question of leaving the rich richer. This is the unfortunate position in which they will find themselves.

Mr. MOTTLEY: Mr. Speaker, there are just one or two questions I want to ask, but I will begin by saying that I am one of the people who believe that income tax is a fair tax, because you only pay if you make. None of us like paying taxes..... (Mr. MILLER: That is not true.) only the hon. junior member for St. George loves to pay tax. I believe myself that income tax is a very fair tax, because if you make no income, you pay no taxes. I would like the Hon. Premier just to bear with me for a few moments in this matter. I am going to deal with the amendments and tell him what is giving me some concern in the financial aspect of this country.

Mr. Speaker, I heartily agree with this concession which is made to foreign capital. As a matter of fact, encouraging investment in this country is a very good thing, but while I accept and believe that there is no attempt by the Government to discriminate against local investors, I must draw to attention that this will have a tendency so to do. I am wondering if the Hon. Minister of Finance has taken into account the number of local Trust Companies operating in Barbados as well as insurance companies, and what their capital outlay locally is as against their capital outlay outside this country. I know he is quite capable of dealing with a matter of this magnitude; I say "magnitude" for the simple reason that my mind goes to the Lynch Trust Company which, I believe, since he has been into politics he has paid attention to. This is a company of some importance which has done a lot of its investment outside, and I am wondering how such recognised or established companies will feel about a matter of this sort, and if it will encourage, let us say, a company that is worth £1 million or $1 million but found no room in Barbados for investment, because they felt that the investment climate was such that they had to pay as a limited liability on their profits the usual 40%. What would be the position therefore, with the Lynch Trust Company that operates in Barbados with over $1 million as compared with the Cipriani Trust Company in Trinidad which would be able to come here and invest money and get the concession of 12 1/2% which is being offered. This is one company which I draw as an instance to the Hon. Minister of Finance. I also draw to his attention what I read in an economist magazine about insurance companies controlling the capital of the world.

I wonder, Mr. Speaker, if the Hon. Minister of Finance has taken the trouble to find out the actual capital investment of the Barbados Mutual and the Barbados Fire Insurance Companies, two locally registered companies who today on their investments, let us say primarily in real estate, must pay 40%. For that reason if he is not in a position to say now, I would like him to investigate to find out the hundreds of thousands of dollars which are invested outside of Barbados, and I do not know what could be done to give them encouragement to come back here. As I said, these three companies, the Barbados Mutual, the Barbados Fire and the Lynch Trust Company, and there are others, have a tremendous lot of money invested outside. As the hon. member has rightly said not only foreign investors, but a tremendous lot of Barbadians investors would prefer to pay 60 cents in the pound than get it free in Trinidad because here the climate and the stability — not necessarily the security because the directors look after the security whether collateral or otherwise — is greater, and that has proven itself in the applications which we had for loans in London and the application which we had in Barbados. 6.20 p.m.

Be that as it may, I should like the Hon. Premier just to tell us over here if there is any means of getting around a matter of this sort and encouraging such businesses. As I have mentioned, there are three of them. If the Barbados Mutual Life Assurance carried on its business here, it is quite clear to us that just as the Demerara Life can invest here and pay 12 1/2%, the same thing is possible with the Barbados Mutual Life which I must say is an Insurance Company which has been too ultra conservative in its policy. The gentleman who controls this multi-millionaire company has a tremendous lot of its capital invested outside. What can be done to encourage the Barbados Mutual Life to bring back the money which its directors have invested outside as against their competitors like the Demerara Life or the Colonial Life or the other West Indian Companies who can come in and invest and only pay 12 1/2% on their earnings.

I do not think that the Hon. Minister of Trade was listening intently to what I said on Trust companies. Within the last century when the late James A. Lynch was in business there was an amount of capital which was left over. Of course, in those days when he was in business, there was no income taxation so that when Mr. James Challenor Lynch came into business there was an amount of money left over and some of the people who now own plantations have managed to own them as a result of the loans which that firm made to them. They saw to it that trust companies were so set up that the bulk of the money was invested here. *Sotto Voce*, an hon. member said to me that the Barbados Mutual Life does not invest any money here at all. Look how often you get young policy holders making this criticism to them!

I am throwing this out to the Hon. Minister of Finance. See what incentive can be given to such people. Do that rather than they say we have discriminated. Besides those three companies, there is quite a number of people whose husbands and relatives have left a lot of money. I would like to know what can be done there.

On this question of five percent, I do not share the view of the hon. junior member for St. George. I agree with the views expressed by the Hon. Premier on the matter. This would not interfere with small people because they pay income tax under the P.A.Y.E. system. It does not interfere with that sort of person. To have $1 1/4 million in a small community outstanding is a tremendous thing. If the hon. junior member for Christ Church and I by the usual 5% addition do not pay our income tax, what would be the position? If we pay and somebody comes and along and do not pay his, it is very hard. The Hon. Premier worked it very well. He has thought the matter out well. Instead of these people paying their income tax and then they have to go and get an overdraft, they hold their money because they would still pay you at 5% while if they go and get an overdraft they will have to pay interest of 7 1/2% to the bank.

What I want to know is this. Where there is some controversy between an individual and/or a firm or company and the Income Tax Commissioner as to the amount of the tax or where there is some legal controversy, what is the position? Section 6 reads as follows: "When and as often as income tax is not paid within the prescribed time, interest shall accrue on such unpaid income tax at the rate of six per centum per annum and shall be calculated at the expiration of every month as from the prescribed time."

As I have aforementioned, where there is a controversy or legal battle going on between the Income Tax Commissioner and the individual and/or companies, lawyers or solicitors, does this 6% start as from the time of the actual settlement or does it start from the time that the tax has been laid? If it started from the time of the actual settlement, I see nothing wrong with this because this is a means of reducing that $1 1/2 million which you have outstanding. I think everybody who pays a tax pays it with the 5% addition because they really do not pay it within the prescribed time, but those who sit back and use the money instead of borrowing at 7 1/2% or 8%, if you work it out in a business which turns over a lot of money, certainly it would mean a lot of profit to this businessman. That is as plain as daylight. Let us say that I owe $2,000 or $5,000 income tax as from the day I have to pay 5% on it

but I want some money to spend. Instead of paying the bank 7 1/2% as the hon. junior member for Christ Church would do to get an overdraft — my profit is not in cash, it is in stock — because I have my stock I can go to the bank and get money but I will have to pay 7 1/2% interest, I make you wait for your money and pay you 5%.

The point which I believe my colleague and myself would like to know is when does this extra 6% start from. Does it start from the time the controversy is settled or from the time the Income Tax Commissioner says it is due? Let us say that sometime in 1961 your income tax was due but you felt something was wrong with it and you sent in an objection but the Income Tax Department was so hard pressed with your legal representative and yourself that the tax was not settled for a year or possibly two years. What every sensible person would want to know is when would this extra 6% start?

As far as we on this side are concerned, we must confess that we see nothing wrong with this amendment. I have no doubt that people in business will hold back paying their income tax because they can keep the money for over the prescribed time and only have to pay 5%.
6.30 p.m.

There is no point in saying: "I am giving this incentive to an American or Canadian Company." Between the three companies which I have mentioned, there are several million dollars which, in my opinion, should be brought back into Barbados and invested here. People work for money in Barbados and they invest it in Barbados, and they are people whom other people scorn. If I had the Government to run I would not allow anybody to invest any money in South African bonds. I am wondering if the Hon. member can tell us what could be done in that respect. We agree with the Section of the Bill which refers to the 6%.

Mr. WALCOTT: There is no stock exchange in Barbados and that is why the Government has been juggling about with its fiscal policy. In these small communities, Mr. Speaker, people like to make excuses for other people. I have never owed any income tax yet; I am taxed at nearly 12 1/2% of my income. I have to pay my income tax and if I have to pay my income tax other people will have to pay theirs too. There are some people who want to come into this Assembly and live on the cheap way outside. You have a man earning, say, a thousand dollars a month and then you tell me that he owes income tax? Why should he not be sent to prison just like a man who owes $25? A man who owes the State money has earned money. Some people want to live their life as they like privately, but they must pay their taxation. I make no excuse for anybody who does not pay his income tax; if you cannot pay your income tax then you should cut down some of your standard of living.

I heard the Hon. Premier say that you should not have a champagne taste if you only have a mauby pocket. To whom does that apply? I am blaming the Income Tax Department because if the Officers whom we have administering the offices are willing to carry out their job fearlessly then we would not have this problem. They will hunt down a lighterman but they will make an excuse for other people. It will amuse you to see the people who owe income tax and who will not pay. I do not understand how you can make it so easy for people to pay income tax. If it comes to that, then I will not pay my income tax either. I am not clear in my mind as to this matter. This is just like the old interest rate when we went up 6%. The Hon. Leader of the Opposition talks about people queuing up to come in here; well, you do not want to reduce anything for anybody who is queuing up. He is all right; he feels that the climate is so good here that he want to come in. The Barbadian businessman talked about 40% taxation in business as if it were something that the world does not know anything about. In the United States of America you have a higher tax rate than that. It is not to say that you are running a business. *(ASIDES)*. Mr. Speaker, will you ask these two gentlemen to go outside?

Mr. SPEAKER: I cannot control the physical movements of those two hon. members.

Mr. WALCOTT: After they have spoken they just cannot listen.

Mr. SPEAKER: This is one of the few occasion on which the hon. senior member for St. Peter is not audible to me. *(Laughter)*.

Mr. WALCOTT: The eardrums of those hon. members do not function after they have finished speaking. I do not feel in relation even to people building houses, that a study is being made of that matter. For a person who builds a house in order to encourage that sort of thing, I say that the time has come when you should make income tax deductions to such a person who undertakes to build a house up to a certain limit; therefore, you will start to give him some sort of encouragement. The Government will have a national policy with regard to housing; the Government would take my taxes and your taxes and build a housing scheme and put people in these houses at low rental rates and then they do not pay. In that way you would be taking my money and building something for a man to live in and then he does not pay. I discipline myself so as to build something and then the Government does not give me any rebate? Therefore, you will get more from being crooked than what you will get from being upright.
6.40 p.m.

It is better for a man to be a worthless, indifferent man, and therefore he gets more benefits than the man who is prudent and careful. That is where I say you have to approach these things in a way that the community is encouraged to help foster your own development programme. We have to think of the prudent. Whenever you think of development, you talk of those who are prudent and have disciplined themselves to create a saving which you can use. The Hon. Premier talked about going to the Savings Bank. Are you thinking of the man who has an income big enough to have a saving that you can utilise, and therefore it is encouragement for the prudent and not the one who does not care anything whether he saves a penny or a cent? He is not going to be any use to the community. I say that you can make a study of these things and see whether it is worthwhile that you should give encouragement to people who are going in for that sort of thing so that you have a broad policy of everybody in the community at a certain income level simultaneously being able to assist you without necessarily changing your rate. What you are saying, however, is that if a person wants to get a concession, he must do something such as building houses where he creates employment and money is being spent around in Barbados, and people who come in will be allowed to utilise some of the capital, because they have to pay back the money.

The point which the Hon. Leader of the Opposition raised is one which would be considered. I feel it would need a special Act and a special approach to insurance companies. I feel that you should carry out some investigation with insurance companies which take up large sums of money from the people within the country itself, but do not be dogmatic because they have to invest some of the money outside. As the saying goes, it is not good to put all your eggs in one basket. The hon. member is a conservative in philosophy; so he could not say you should not invest in South Africa. It would be a dangerous thing in a small community like Barbados to come down rigidly on everything in that type of investment, because there are certain investments that earn more depending on the stage of your development, because if you invest all your capital inside and anything takes place to the inside, you are stuck; so it is always good if you can spare some for the outside.

Apart from the local companies, Sir, what was passing through my mind is what sort of confusion you are likely to have if you have a 12 1/2% rate operating for the companies from the outside and non-resident persons. If you have a rate of 12 1/2%, why make it non-resident as the Hon. Leader of the Opposition has asked? We do not foresee this now, but suppose you take the examples which the hon. senior member for Bridgetown has mentioned, what is the difference between an investment company which is a local company receiving this concession for development

purposes as against those companies? The hon. member talked about banking your money downstairs, but again I want to know what is the difference if you are giving an incentive now if a man banks his money. I presume I did not hear clearly, but you said that interest on the first $5,000 – I believe that must be the first $1,000 in capital – is free of income tax to the individual. What I want to know is what is the difference between $5,000 in the Government Savings Bank and $5,000 in Government Bonds. What is the difference if a man went and bought $5,000 in Government Bonds? Why should the interest not be treated in the same way as on money in the Savings Bank? I can understand that the Government has no control over commercial banks, therefore it has no control over savings put in commercial banks, but I think it would be a great encouragement if bond issues could be treated in a similar way that you want savings in the bank to be treated.

I think, Mr. Speaker, that Mr. Greenidge made mention that in the United Kingdom there are buses running in pools. You have people here gambling in a non-productive manner all the time, and if the gambling spirit is so prevalent, let them gamble in a more positive spirit where you can use that money. While on that point, I think the time has come when we should pass an Act in this House taking up that sweepstake money that is unclaimed. There is nothing wrong in that. I do not see why you should not take up money which has been unclaimed over a certain period and use it for public purposes, and if somebody comes up after and you are satisfied, you would have all the saving clauses in the Bill. You must scrape the bottom of the bucket to get money. I cannot see how you can pay interest on money in the Saving Bank and not on Savings Bonds. If you encourage people to buy Government Bonds, you would do better anyhow because you would get more money to utilise for development purposes directly, and I think it would be a very good step.

I feel in this income tax business, Mr. Speaker, that it is always a question of opinion. I do not even agree with the Government's piece-meal method in connection with arrears in income tax. What I would like to know is the type of people who owe $1 1/4 million. Speaking under correction, I think that income tax in Barbados is something in the vicinity of $10 million and you have arrears equivalent to 10% of your total income from the same source, and that 10% would come within a section of people not like me. Now you are taking out my money under the P.A.Y.E. system and anything more I owe I have to pay. I have never had the privilege of paying 5% because I am a man who is afraid to get this exposure. One year I was sent two bills and I went and asked what was meant by it, and asked where they expected me to get that kind of money from to pay one time. I had to look at the back of one, and the stupid thing is that they did not send in the prescribed form and they had to give me three months to pay it. It is true I did not pay the year before because I had no bill, and when I asked the reason, they said they could not get through with it. You do not expect me to go hounding down the Income Tax Department to pay taxes, and for that reason I consider that the Government should give some consideration to these other points.

6.50 p.m.

I understand this Government has been chiding the Housing Authority for claiming that the other Government told the people not to pay the rent. Members of the last Government said that it is the members of this Government who told the people not to pay the rent and now they are in the Government they are saying that the people who owe rent are not paying and therefore they have a big backlog of rents up there.

Hon. E. W. BARROW: I will just like to check the hon. member on this. No member of this Government ever advised anybody not to pay rent to the Housing Authority. There is a fantastic amount of money owed to the Housing Authority, over $400,000, which goes back to over two and three years ago and most of these arrears are over two or three years old. I am asking the hon. member to be very careful as to how he makes these statements. What we have told people is that they had some Minister at that time giving them the impression that the houses belonged to them and they, the former Ministers, were doing the people a big favour by allowing them to live in those houses. We have disabused their minds that the houses belonged to those Ministers. We told the people at election time that we intended instead of their going on in perpetuity paying rent that if we took over the Government we had a scheme and we still have that scheme under consideration of vesting the houses in the people. Therefore, do not let the hon. member get away with this idea of saying that the members of the Opposition then who are members of this Government said that people should not pay rents.

Mr. WALCOTT: Sir, I was very precise. I told people in the past that they had to pay their rents so that could never be attributed to me. What did I say? I said that the members of this side. That is why a member of this side asked *sotto voce* "which side do you mean." If a Minister of the Government were to be so stupid as to go now and tell people not to pay their rents, he would be more than an idiot, he would be a convulsed idiot. I said, members of this side, members of the last Government said to the members over there then that those members told the people not pay their rents. You were not Ministers then. I am only representing what members of the unofficial and the official Opposition said then. I am Frank Walcott. Mr. Speaker, they have now been accused by the Barbados Labour Party of encouraging the people not to pay rents. I only mention that because I am thinking of what it means if I am going to build a house or any person is going to build a house. I pay my income tax and if one man in Barbados should complain, I should complain because I think I pay too much. (A VOICE: You are working.) Yes, I am working but for whom? That is why I am saying that I can speak for a little relief.

What I would like the Hon. Premier to examine is this. Representation has been made to me, and I am making it on behalf of the people who made it to me, that there is a feeling among those people as regards the paying of income tax that many businesses should pay on an escalator basis, therefore, they feel that there should be some review of income tax on business and not all businesses should be treated as businesses.

What do I mean by a man paying income tax on an escalator basis? I would like the Hon. Premier to understand that there are some people in this community who feel that Barbados is a place with small invesments and Barbados has to depend on small scale capital. Do not let anybody tell you otherwise. If you have to depend on small capital, you must gear your fiscal policy to suit the capital available to you. That is why I say that I am not opposed to the examination of your income tax system where it bears relationship to the peculiar economic and financial position residing in our own community. If you have small cabinet makers and small businessmen turning the little capital they have into erecting things, you must remember that the concept of company tax being laid on is laid on the basis that you have got it from England and it cannot be viewed in the light of a small community. That is not applicable when dealing with the individual.

So far as this Bill is concerned, there is nothing in the Bill which I disagree with but I feel that there are other things to which consideration can be given.

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

SUSPENSION OF SITTING

Mr. SPEAKER: It now being after 7.00 o'clock, this sitting stands suspended until 7.45 o'clock p.m.

7.00 p.m.

On re-assembling,

Hon. G. G. FERGUSSON: Mr. Speaker, I should like to draw to your attention the fact that there is no quorum present, and I ask that the bell be rung.

On the Bell being rung, a quorum was obtained.

INCOME TAX (AMENDMENT) BILL

Mr. SPEAKER: When the sitting of the House was suspended, the Bill further to amend the Income Tax Act, 1961, had just been read a second time.

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

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

Mr. MOTTLEY: Mr. Speaker, before the question is put, surely Your Honour will realise that there are certain questions which were asked.....

Mr. SPEAKER: The Bill has already been read a second time.

Mr. MOTTLEY: Before you put the question, I think it is just a matter of courtesy that when we ask questions relating to a Bill.....

Mr. SPEAKER: Is the hon. member speaking on the motion that I do now leave the Chair and the House go into Committee on the Bill?

Mr. MOTTLEY: I do not agree with what is happening.

Mr. SPEAKER: It is not a matter of whether the hon. member agrees or not.

Hon. W. A. CRAWFORD: The hon. member is not speaking on a point of order.

Mr. MOTTLEY: What is it then?

Mr. SPEAKER: Two hon. members are on their feet.

Mr. MOTTLEY: When the sitting of the House was suspended, the second reading of the Bill was under debate.

Mr. SPEAKER: No, No. The second reading of the Bill had been passed when the sitting of the House was suspended, and I carried on a few minutes after 7 o'clock, a discretion which was allowed.

Mr. MOTTLEY: I bow to Your Honour's ruling.

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

Mr. SPEAKER left the Chair, and the House went into Committee on the Bill, Mr. BATSON in the Chair.

Clause 1 was called.

Mr. MOTTLEY: Mr. Chairman, I will speak for the balance of the night.

Hon. W. A. CRAWFORD: On a point of order. The hon. member has a right to raise any question which he likes to raise on any individual section of the Bill when it comes up for discussion. He cannot now make a second reading speech, neither can he ask any question which was raised on the second reading of the Bill.

Mr. MOTTLEY: If he cannot answer me on the questions which I have raised, if there is no answer to those questions, then no Bill will be passed.

Hon. W. A. CRAWFORD: The hon. member has misunderstood what I said. The time for the hon. member to raise his objection was during the course of the second reading of the Bill, but he did not do that.

Mr. MOTTLEY: If, in order to facilitate matters, we stopped at 7 o'clock and allowed the matter to go through, is it not common decency to answer question which were asked?

Hon. W. A. CRAWFORD: The specific questions asked by the hon. member must apply to certain sections of the Bill; therefore, when we get to those sections of the Bill, the hon. member can raise those questions.

Mr. MOTTLEY: The Hon. Leader of the House heard the questions which I posed. We, on this side, agreed to sections which other hon. members would have objected to. The Hon. Minister can answer the questions and the Bill can go through.

Hon. W. A. CRAWFORD: So far as I can remember, the hon. member's question referred to Section 5 of the Bill. The hon. member posed a question that if you get your income tax bill and you object to the rate and this rate is the subject of discussion between yourself and the Commissioner of Inland Revenue would you have to pay the interest rate from the time you got the bill or from the time that negotiations between yourself and the Commissioner of Inland Revenue came to an end? You do not know the rate until the matter is finalised between yourself and the Commissioner of Inland Revenue.

Mr. MOTTLEY: I thank the hon. member for that. The other important point I made was in respect of the 12 1/2% allowance to non-residents and I asked the Government to go into the matter with three companies of which I can think, companies which control millions of dollars, namely, the Barbados Fire Insurance Company, the Barbados Mutual Life Assurance Society, and the Lynch Trust Company. Just as the Government will pass legislation, so will solicitors advise people to set up a limited liability company in Jamaica, for instance, and that will be a foreign company. I am just trying to show you the loopholes which exist. The minute that this Bill came out the solicitors went thinking; people want to try to get away from paying 40% in the dollar and pay 12 1/2%. I see that the Hon. Minister of Agriculture is smiling and he knows what I am talking about quite well. You are bound to get companies formed and registered outside of Barbados and what would be the terminology and conditions of this section? They would not be local companies. I quite agree with the Government that in order to encourage an industry you will give this concession, but I say that it is about time that you make an investigation of these matters. I am sure that the hon. member will agree with me that the Lynch Trust Company, if they could guarantee that they would be allowed to pay a rate of 12 1/2%, would bring money in Barbados where they could see it and this investment would help people in the housing development. I have no brief for any company; this is my business and I know it.
7.55 p.m.

There is, Sir, the Barbados Mutual, the Barbados Fire and several other companies which I know, and therefore you must prevent people from setting up companies abroad and coming back in because the easiest thing to do is to get Articles of Association drawn in, say, Jamaica which would be outside of this, even if you have a Federation. You have the Evelyns and Brydens in Jamaica; what is to prevent certain firms from sending their money to Jamaica and coming back here as a foreign company? I just want the hon. member to give me some assurance. If you think I am talking foolishness, say that I am.

Hon. W. A. CRAWFORD: The hon. member has a point all right, Sir, but to my mind the easiest way to get around that is to have legislation compelling firms which operate in the country to invest a certain portion of their profits in the Island. That is the first thing that should be done and is a very easy way to get around it; but on the other hand, we could not very well normally say that companies operating locally are entitled to the same concession of paying 12 1/2% on the profits of their investment, as we would not get enough to run the country, because they would just invest this money and only pay 12 1/2%. The hon. member is suggesting that all they need do is to invest in pioneer industries where they pay no income tax at all for seven years. There are several ways of getting around it from their point of view and from our point of view, but the Government certainly could not agree on the

face of it to make this concession apply to resident and non-resident companies at this time.

Mr. MOTTLEY: I do not want to waste time, but I do not want the hon. member to think I am foolish. I am not talking about all companies; what I am talking about primarily is investment companies and Trust Companies. An economist of Liverpool University in an article said that insurance companies control the money of the world, and you have here in Barbados companies going around and picking up 25 cents a week who are not registered anywhere and pay no income tax. That is what I am trying to drive at. I am not suggesting any amendment, but I must throw out these things, because if I have some knowledge of the matter, you dare not put this for all companies. There are such things as Investment Companies, Trust Companies and Insurance Companies which must find something to do with their money. You either compel them to invest a certain amount of money here, or if it is a *bona fide* foreign company they will pay 12 1/2%; but side by side with that you have the Barbados Mutual who would invest millions of dollars in Canada or the Rum Refinery whose profits would be invested abroad, but on the interest they get from that, they would have to pay 40% because they are registered here. There is no incentive therefore to your own investment companies to invest back here to develop the country by building houses or what have you. In order to get the 12 1/2% rate which is being paid in Barbados, all a company would have to do is to call itself a Registered Company, have articles drawn up in Trinidad and become a foreign company and come in here and invest.

While the Government may pass this, Sir, I will tell you that they may be disappointed for this reason: I contend that whenever businessmen come into a country, they go to the Bank Managers and firms to see how business is being done, and whereas formerly a firm in Trinidad could take $100,000 and invest it here by going to Yearwood and Boyce and saying that as an investment company they can lend the money out at 8%, because a tremendous lot of people are building houses at Grazettes through companies registered in Trinidad or Jamaica, they can now stay here in Barbados and call themselves the Brown Trust Company which is perfectly honest and above board and lend out that money on which they will get 8% but only have to pay 12 1/2% as far as this Bill is concerned. I suggest that you look further into the matter, and I will suggest that as soon as you possibly can you should see that insurance companies make a proportion of their takings as investment locally, because they themselves send too much of the money they take from people out of this Island. That is my contention and that is all I have to say on the matter.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 1 stand part.

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

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

Clause 2 was called and passed.

Clause 3 was called.

Hon. W. A. CRAWFORD: Mr. Chairman, there are some amendments to Clause 3. In the proposed section 4 A. (4), I am asking leave to delete the words "to the Appeals Committee in the same manner as an appeal may be made against an assessment" and substitute therefor the words "against that decision to the Appeals Committee and the Commissioner or any such person if aggrieved by the decision of that Committee may then appeal to the Supreme Court; but any such person may, in lieu of appealing from the decision of the Commissioner on such question to the Appeals Committee, appeal from that decision direct to the Supreme Court".

I beg to move that Clause 3 as amended stand part.

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

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

8.05 p.m.

Clause 4 was called.

Hon. W. A. CRAWFORD: There is also an amendment to Clause 4. We want to insert a new section into the principal Act and Clause 4 now reads as follows:-

"The principal Act is amended by inserting therein, next after section 13B, the following section as 13 C —

"13 C. (1) "Where the assessable income of an individual with respect to an income year includes any sums paid or credited in respect of interest accruing as from the first day of January, 1963, on the first five thousand dollars or part thereof of any deposit account to which this section applies, those sums shall be disregarded for all the purposes of this Act other than the furnishing of information."

"(2) Where a married woman whose income, pursuant to subsection (3) of this Act, is deemed to be the income of her husband has, separate and apart from her husband, a deposit account to which this section applies, any sums paid or credited in respect of interest on the first five thousand dollars or part thereof of such account shall be disregarded in determining the assessable income of her husband."

"(3) This section applies to the following deposit accounts with the Savings Bank referred to in the Savings Bank Act, 1914 —

(i) where an individual has one deposit account with the said Savings Bank, that deposit account;

(ii) where an individual has more than one deposit account with the said Savings Bank, the first five thousand dollars or part thereof of the aggregate amount of such account."

I beg to move that Section 4 as amended stand part.

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

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

Clause 5 was called.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 4 be renumbered Clause 5 and stand part.

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

Clause 6 was called.

Hon. W. A. CRAWFORD: I beg to move that Clause 5 be renumbered Clause 6 and stand part.

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

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

Clause 7 was called.

Hon. W. A. CRAWFORD: I beg to move that Clause 6 be renumbered Clause 7 and stand part.

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

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

Clause 8 was called.

Hon. W. A. CRAWFORD: I beg to move that Clause 7 be renumbered Clause 8 and in addition, Sir, the following amendment to the original Clause 7 be made by deleting item (1) and substituting the following therefor:-

"(1) by substituting a semi-colon for the colon immediately after the words "section ten of this Act" and inserting immediately after that semi-colon the words "except that in the case of interest and where the Commissioner so directly, the income tax to be deducted and paid shall be calculated at the rate of twelve and one half cents on every dollar of the interest:"

I beg to move that Clause 8 originally Clause 7, as amended stand part.

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

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

Clause 9 was called. It reads as follows:-

8. (1) The provisions of sections 3, 4 and 7 of this Act shall apply to all assessments made in respect of income derived in the income year 1962 and to all subsequent assessments.

(2) The following provisions of this Act shall come into force on the first day of January, 1963:-

(i) section 40 subsections (1), (2) and (3) of the principal Act as enacted by section 5 of this Act as well as subsection (4) of the said section 40 in so far as that subsection relates to additional duty and interest payable or paid under that section; and

(ii) section 41 subsection (3) of the principal Act as enacted by section 6 of this Act.

Hon. W. A. CRAWFORD: I beg to move that Clause 8 be renumbered Clause 9 and the following amendments be made:

(a) in sub-clause (1), "3, 5 and 8" to be substituted for "3, 4 and 7",

(b) in sub-clause (2), "section 6" to be substituted for "section 5" in item (i) and "section 7" to be substituted for "section 6" in item (ii);

(c) Necessary changes to be made in "Arrangement of sections".

I beg to move that Clause 8 as renumbered Clause 9 and as amended stand part.

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

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

On motion of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the passing of one Bill with amendments in Committee.

Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA, in each case, the Bill was read a third time and passed.

RESOLUTION TO APPROVE COMPULSORY ACQUISITION OF LAND IN SAINT PETER AND SAINT ANDREW

Hon. W. A. CRAWFORD: I beg to move, Mr. Speaker, that Order No. 7 be the next Order of the Day.

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

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

Mr. SPEAKER: Order No. 7 stands in the name of the Hon. Minister of Agriculture, Lands and Fisheries: To move the passing of a Resolution to approve of the compulsory acquisition by the Governor-in-Executive Committee of the land described in the Schedule hereto for soil conservation purposes in the parishes of Saint Peter and Saint Andrew.

Hon. C. E. TALMA: This Resolution seeks to approve the compulsory acquisition by the Governor-in-Executive Committee under the provisions of the Land Acquisition Act, 1949, of the land described in the Schedule to this Resolution for the following public purposes, that is to say, for soil conservation purposes in the parishes of Saint Peter and Saint Andrew.
8.15 p.m.

The land is set out in the Schedule as follows:-

"ALL THAT certain piece or parcel of land (formerly part of the lands of Four Hills Plantation) situate in the parishes of Saint Peter and Saint Andrew and Island of Barbados aforesaid containing by estimation eighteen acres or thereabouts be the same more or less Abutting and Bounding on other lands of the said Four Hills Plantation now the property of *P.S. Seales et al* on lands of Sedgepond Plantation and on the public road or however else the same may abut and bound."

The Addendum to the Resolution reads as follows:-

"Under the Provisions of section 5 of the Land Acquisition Act, 1949, the approval of the Legislature is sought for the compulsory acquisition of a parcel of land situate in the parishes of Saint Peter and Saint Andrew containing by estimation eighteen acres for the purpose of soil conservation.

2. Agreement has been reached with the owner for the acquisition of the land by private treaty but in view of defects in title the Government has been advised to acquire the land under the provisions of the Land Acquisition Act, 1949, in order to obtain an indefeasible title."

This means that the Government has negotiated for the acquisition of this parcel of land but when the matter was being completed the Crown Solicitor discovered that a certain document of title was missing or misplaced and so he advised that in order to clear all doubts and remove all defects of title, the Land Acquisition Act, 1949, or the provisions of that Act should be invoked. It is for that reason, Mr. Speaker, that we have come here and we are asking the House to agree to this Resolution. All the terms of the purchase have been agreed to between the Government and the vendor and it is only a question of regularising the title that the provisions of the Land Acquisition Act, 1949, are invoked in order to show that there are no encumbrances. Mr. Speaker, with those remarks, I beg to move that this Resolution do now pass.

Hon. G. G. FERGUSSON: I beg to second that.

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

LEGISLATURE (PRIVILEGES, IMMUNITIES AND POWERS) BILL

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Order No. 5 be taken as the next Order of the Day.

Hon. G. G. FERGUSSON: I beg to second that.

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

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 determine and regulate the powers, privileges and immunities of both Chambers of the Legislature and of the members thereof; to regulate the conduct of members

and other persons in connection with the proceedings thereof, to give protection to persons employed in the publication of the reports and other papers of the Legislature; to regulate admittance to the precincts of the Legislature; and for purposes incidental to the matters aforesaid.

Hon. E. W. BARROW: Mr. Speaker, you will remember that it was the declared policy of this Government, even before we assumed office, that there should be introduced into the Legislature provision for a Public Accounts Committee. Hon. members may wonder what the instant Bill may have to do with a Public Accounts Committee, but in preparing the ground for the institution of such a Committee in this House, it was discovered that that would have to be done by amendments to the Standing Orders of the House, and in order to make the functioning of a Public Accounts Committee effective, it would be necessary to introduce legislation in the form of an Immunities and Privileges Bill. That is why this Bill came into being.

All the provisions of the Bill which we have before us do not necessarily relate to the safeguarding of the members of the House and the members of the Public Accounts Committee are given powers to secure the attendance of persons to give evidence and the production of documents and matters of that kind, and some of the provisions merely relate to the general procedures of this House and give the House authority to do things which the House should have had authority to do a long time ago.

The Bill is divided into nine parts. Part II of the Bill deals with the immunities of the House providing that members of this House and the other Place should not be subject to the jurisdiction of the Courts in certain circumstances. These immunities are in keeping with the immunities enjoyed by other Parliaments in other parts of the Commonwealth, and we are seeking for the members of the Legislature in Barbados no special immunities over and above those which by common law and by statute have been enjoyed by other Chambers. I do not think that I could usefully add anything to the "Objects and Reasons" of the Bill. I thought I would merely explain the background of the introduction of a Bill of this nature to the Legislature and explain to hon. members that this is not any attempt to place members of this Chamber and members of the Other Place above the Law. This Bill is just for the purpose of regularising the position which members of the community always considered that members of the Legislature should be enjoying, which, in truth and in fact, they have not been necessarily enjoying in the eyes of the law. Mr. Speaker, with those remarks, I beg to move that this Bill be now read a second time.

Hon. G. G. FERGUSSON: I beg to second that. 8.25 p.m.

Mr. MOTTLEY: I just want to say, Sir, now that I have been given an opportunity to read the Bill — and it is interesting to know that I got it yesterday from the Clerk of the House — that it is one of those things on which a layman can contribute very little, because as has been said by the Hon. Premier, it purports to give effect..... (Hon. E. W. BARROW: It was circulated since 11th December.) I am saying what happened to me.

Mr. SPEAKER: Let the Hon. Leader of the Opposition ignore the asides.

Mr. MOTTLEY: I said I did not get one, but I got one yesterday.

Mr. SPEAKER: The hon. member said that clearly. Let him proceed from there on.

Hon. E. W. BARROW: You said last week you did not get it.

Mr. MOTTLEY: I said I did not get it at all.

Mr. SPEAKER: Let the hon. member proceed with the second reading of the Bill.

Mr. MOTTLEY: I was saying, Sir, that as the Hon. Premier has just pointed out, it is part of their programme for the appointment of a Public Accounts Committee. This Bill must be introduced, and therefore we take it that as he has said very little on it, we should wait until the sections come up to get explanations. I have made some notes, and I hope he will be able to enlighten us over here.

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

On the motion of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA, Mr. SPEAKER left the Chair and the House went into Committee, Mr. BATSON in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 2 stand part.

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

Mr. MOTTLEY: Mr. Chairman, in Clause 2 on page 3, I would just like the third paragraph clarified where it says " 'officers of the Chamber' means any person who may from time to time be appointed to the staff of the chamber whether permanently or temporarily and includes the Clerk and any police officer on duty within the precincts of either chamber."

I just want that clarified to see whether it means the Marshal, Deputy Marshal, Librarian and Messenger etc. From the powers which I see in going through the Bill, I should like to know whether this includes persons other than the Clerk and police constable, because this says any person appointed to the staff.

MOMENT OF INTERRUPTION

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

Mr. SPEAKER: The Chairman has reported progress to me and has asked for leave to sit again.

It being the Moment of Interruption, if I am assured that this business now before the Committee will be unopposed, the House may continue.

Mr. MOTTLEY: It will be unopposed.

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

Mr. MOTTLEY: Mr. Chairman, an undertaking was given that this Bill will be unopposed. Asking for something for the benefit of clarification does not necessarily mean opposing. It is a question of making this clear so that we as laymen can explain to our constituents exactly what the position is.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that you do now report progress and ask for leave to sit again.

Hon. C. E. TALMA: 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.

Mr. SPEAKER: The Chairman has reported progress and asked for leave to sit again.

Hon. W. A. CRAWFORD: Mr. Speaker, there are one or two items which we would like to conclude tonight, and

I am therefore asking leave to move the suspension of Standing Order No. 5 in order that the Session may be prolonged for as long as it may be necessary after 9 o'clock. It is our hope to be able to clear the Order Paper on Government Business in order next week to proceed clearly on the White Paper on Federation.

Mr. SPEAKER: The Hon. Leader of the House is asking leave at this stage to move the suspension of Standing Order No. 5. If there is no objection, leave will be granted. I hear none, and accordingly leave is granted.

SUSPENSION OF STANDING ORDER No. 5

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Standing Order No. 5 be suspended.

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

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

HOUSE RESUMES COMMITTEE

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House revert to Committee.

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

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House resumed Committee, Mr. BATSON in the Chair.

Mr. CHAIRMAN: The question is that Clause 2 stand part.

Mr. MOTTLEY: Oh dear, Mr. Chairman, that is not nice. You heard me ask a question. There is no controversy, but every member of this House is entitled to ask a question. The quicker we get through, the better, because I want to get home like anybody else, but the Minister must answer my question.
8.35 p.m.

Hon. W. A. CRAWFORD: The hon. senior member for the City of Bridgetown has posed the question whether the words "appointed to the staff" in line two of the definition of "Officer of the Chamber;" meant the whole staff of this Assembly. As a matter of fact, he asked "who does it include"? Sir, it includes the staff of the Chamber but not the staff of the Debates Committee, that is to say, it does not include the Reporters or the Stenotypists.

Mr. MOTTLEY: Well, then, Sir, it includes only the Clerk, the Deputy Clerk, the Marshal, the Deputy Marshal, the Chaplain and so on. Therefore, if you turn on page four of the same section and read the last paragraph, you will see "stranger" means "in relation to each Chamber any person other than a member or an officer of that Chamber and according to this, the Reporters and the Steno-typists will be strangers. You have said that it does not include the Reporters and the Steno-typists, therefore, where do they come in?

If I may be permitted before the Hon. Minister answers this question I wish to say that you have certain sanctions in the Bill imposed against strangers and if you are advocating that the "staff" means what you have said, then the sanctions which you have imposed against strangers must operate against the Reporters and Steno-typists.

Hon. W. A. CRAWFORD: Yes, there are sanctions applied to strangers.

Mr. MOTTLEY: Therefore, those sanctions will refer to the Reporters and Steno-typists.

Hon. W. A. CRAWFORD: Yes.

Hon. E. W. BARROW: Any stranger who enters the precincts of this Chamber is here under suffrage. We are now making sure that what comes under the Common Law in the United Kingdom will apply to Barbados now. The House has a right to decide that no stranger should enter the precincts at all either because of commotion, unseemly behaviour or because the House may need to hold a secret session, let us say, in a case of emergency when they want no strangers within the precincts of the House, therefore, the Reporters too must come within that definition because the House reserves the right to exclude the Reporters of the Debates Committee.

Mr. MOTTLEY: Mr. Chairman, I must thank the Hon. Premier for his explanation but I would just like to point out to him that further on in the Bill I see certain sections which I think should not apply to Reporters. I understand your excluding them in the case of an emergency where you want to hold a session without having them. I want to know this because I can say to anybody: this is what it says and this is what it means and it would go down in the Hansard that the Reporters are considered strangers for the purposes of this Act.

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

Clauses 3 to 10 inclusive were called separately and passed.

Clause 11 was called.

Hon. W. A. CRAWFORD: I beg to move that Clause 11 stand part.

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

Mr. MOTTLEY: Mr. Chairman, here again I would like a little clarification: it is nothing controversial. The preceding section tells us exactly what to do in the summoning and examination of witnesses and as regards the service of the summons.

What I want cleared up is this. Sub-section (4) of this Section tells us that if a person to whom a summons under Section 10 of this Act is directed does not attend before the Chairman of the Committee at the time and place mentioned therein the appropriate authority shall issue a warrant to apprehend and bring him and for the purposes of this section the appropriate authority shall be: in the case of a summons issued for the attendance of a person before either chamber or a committee thereof (other than a joint committee), the President or the Speaker, as the case may be; or in the case of a summons issued for the attendance of a person before a joint committee, either the President or the Speaker.

Well, Mr. Chairman, I am not allowed to go further but if you permit me Clause 11 (3) says: "The appropriate authority, on issuing a warrant under this section, may, if he thinks fit, by ordering an appropriate endorsement on the warrant, direct that the person mentioned in the warrant be released after arrest upon his entering into such a recognizance as may be required in the endorsement before a magistrate's court conditioned for his appearance before the Chamber or the committee, as the case may be."

I want this primarily explained to me. I want this explained to me by the Premier because if you read this section carefully, it tells you all about the issuing of a warrant and apprehending of the person but it does not say anything about what you should do with him before coming before the committee or joint committee. It does not say that you should keep them in custody.
8.45 p.m.

As far as I can see, it does not say that on apprehension you can keep him in custody.

Hon. E. W. BARROW: Read Sub-Section 3.

Mr. MOTTLEY: That is the one I have read.

Hon. E. W. BARROW: Sub-section 3 of Section 11 as follows:-

"The appropriate authority, on issuing a warrant under this Section, may, if he thinks fit, by ordering an appropriate endorsement on the warrant, direct that the person mentioned in the warrant be released after arrest upon his entering such a recognizance as may be required in the endorsement before a magistrate's court conditioned for his appearance before the chamber or the committee, as the case may be." What is the trouble?

Mr. MOTTLEY: The Section says that you can arrest and bring him before the place where the Committee or the members of the council meet. It tells you who is the proper authority for doing this but if the man is arrested on a warrant you can make him enter into a recognizance. I hope the Hon. Premier will explain that. A warrant can be issued and the man can be arrested and released on a bond.

Hon. E. W. BARROW: Mr. Chairman, Section 11 sub-section 1 says this:-

"If a person to whom a summons under section ten of this Act is directed does not attend before the chamber or the committee at the time and place mentioned therein, the appropriate authority may, upon being satisfied that the summons was duly served or that the person to whom the summons is directed wilfully avoids service, issue a warrant to apprehend him and bring him, at a time and place to be stated in the warrant, before the chamber or the committee."

In other words that is a forthwith warrant. If you do not intend to issue that warrant then the person can be released on his recognizance, and he has to appear. If you issue a warrant to arrest him he must be arrested forthwith and brought before the Committee. I do not think that there is any question of keeping him in custody.

Mr. MOTTLEY: He may be arrested and brought before the Committee and if the Committee is not ready to sit he can be released; he cannot be put into a cell or into any such place. I thank the Hon. Premier very much.

The question that Clause 11 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 13 and 14 inclusive were called and passed.

Clause 15 was called. It reads as follows:-

"15. (1) Subject to the provisions of subsection (3) of this section, a person who gives evidence before either chamber or a committee shall not be liable to any civil or criminal proceedings by reason of anything which he may have said in such evidence.

(2) Except in proceedings referred to in subsection (3) of this section, no statement made by any person in evidence given before either chamber or a committee shall be admissible in evidence against that person in any civil or criminal proceedings.

(3) Nothing in the preceding provisions of this section shall be construed to prevent the institution or maintenance of any proceedings against any person for an offence under section twenty-one or section twenty-two of this Act."

Hon. W. A. CRAWFORD: I beg to move, Mr. Chairman, that Clause 15 stand part of the Bill.

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

Mr. MOTTLEY: Mr. Chairman, Sub-section 1 of this Section says this:-

"Subject to the provisions of subsection (3) of this section, a person who gives evidence before either chamber or a committee shall not be liable to any civil or criminal proceedings by reason of anything which he may have said in such evidence."

I made a note in connection with this sub-clause. We have just dealt with the Perjury Bill, and as I go through this entire Bill it seems to me that it is for the Committee and the Legislature to get accurate and up-to-date information with the force of law. As this sub-section is worded, it strikes me that this Committee should be the highest authority in the island in taking evidence in respect of any industry or anything of the sort, and if false statements are made you have not got the same power as a Commission of Enquiry. Sub-section (3) of this Section states this:-

"Nothing in the preceding provisions of this Section shall be construed to prevent the institution or maintenance of any proceedings against any person for an offence under Section 21 or Section 22 of this Act."

I suppose that the Hon. Premier would just again enlighten us as to this particular section. The Perjury Act has been very drastic and it strikes me that if I came before the highest authority — well, a Committee of this House must probe evidence out of me in connection with something happening in this island. As this sub-section reads, does it mean that if a person wilfully came before the committee and committed perjury nothing could be done in the matter? I should just like to get that point clarified. There is no other legal brain over there than the Hon. Premier whom we can ask for an explanation of this matter. I take it that when you ask for a legal explanation we are not just asking for an opinion; we are asking for information in order to satisfy ourselves.

8.55 p.m.

Mr. WALCOTT: Mr. Chairman, I think what the hon. member has raised is what I would like the Premier to say. Last week, we passed a Bill which said that anything done under statutory provision like this is perjury. (Hon. E. W. BARROW: No!) The hon. member said "no", but if you look at what we passed last week, it did not preclude this. What the hon. member means is that this will be a statutory provision unless you exclude it from that Act. What we are saying is that this gives the magistrate the right to deal with you, but in the Act which we passed last week, if you give false evidence anywhere, it says that whoever deals with you shall regard that as perjury; so I want to know how this applies.

Hon. E. W. BARROW: This is a constitutional point. If you believe in the separation of powers, you cannot have the business of the Legislature mixed up with the business of the Executive and the business of the law courts in pure simple form. The offences against Public Tranquility Offences against the Person, and Offences against Property come under one category of criminal offences. Offences in the course of proceedings in the Legislature must at all times be controlled and governed by the Legislature itself. In other words, the Legislature can never come under common law, and that is one of the reasons why we have had to introduce this Bill, because common law regards offences committed in this place as being excluded by a ruling of the House of Lords itself and the judicial Committee of the Privy Council. In Colonial courts we do not enjoy the common law privileges and immunities, and therefore although there are offences kindred to the offences of perjury which we dealt with last week, it is not thought constitutionally proper that the offender should be dealt with either on indictment or in common law who should be guilty of perjury. If we said they were guilty of perjury, they could be punished either under common law or under statutory provision and tried by a police magistrate.

As I explained last week, in a Court of Summary Jurisdiction, it is not expected to put any limitation on the period of imprisonment or a maximum fine. Where you are dealing with the Supreme Court of Judicature which is a Court of unlimited jurisdiction, it has never been the practice to impose a limitation on the amount of fine which the Court may feel disposed to inflict or impose, and as I have

always explained, that is left to the Court. To make a false statement arising in the immunities of the Legislature, we would be making this an offence summary and not an indictment, and that is why we have sections 21 and 22 on the amount of fine and the term of imprisonment which the magistrate may impose. It is purely a constitutional position in which we are trying to preserve the principle of the separation of powers between the Judiciary and the Legislature.

Mr. WALCOTT: I thank the hon. member, but I am not protesting against that because it is a technical point in which he has explained the constitutional and legal position. As a layman, what I would like explained to me is how would the Court interpret the action of a man committing perjury or making a false statement before this Committee and there is nothing that specifically excludes that the Perjury Act which we passed from being applicable to this section. I appreciate what the Premier said about the constitutional position, but as you will very well understand, the constitutional position and the legal position are sometimes two different things. The constitutional position may be silent on something, but the law courts have to decide. The Hon. Premier said that lawyers themselves regarded Colonial Legislatures to be immune. The lawyers at one stage thought that Colonial Legislatures had the same privileges as the House of Commons until some case arose and there was a ruling that they did not regard it as such. If you take up the Perjury Act which we passed last week and read that, what is going to happen? Is this regarded as statutory legislation? If it is statutory legislation, how is it going to be excluded by an Act?

Mr. Chairman, suppose any person who in the course of giving evidence before either Chamber or Committee wilfully makes a statement material to the subject knowing the said statement to be false or not believing it to be true. If the statement was made otherwise he would be guilty of an offence and liable to conviction therefor by a magistrate's court. What I want to ask the Hon. Premier is how we are going to get this person into a magistrate's court by this method as distinct from when he commits the same offence not before our Committee but before a Commission of Enquiry. If he goes before a Commission of Enquiry and makes a false statement, under the Act we passed last week it become indictable. What I want to ask the Premier is if this is not excluded specifically in this Act or that Act.

Hon. E. W. BARROW: May I explain the position? In Section 15 (1) what is being sought is that no person can be prosecuted or have civil action instituted against him for having done or said anything under subsection (1) which specifically refers to subsection (3), and that subsection refers to sections 21 and 22, and sections 21 and 22 specifically say as far as the House of Assembly is concerned that this is a summary offence. The only question remaining is, who is to bring the prosecution? Under the Perjury Act, only the Attorney General can decide after reference has been made to him by the magistrate. If hon. members look at section 39, they will see that only the Speaker or the President of the Chambers of the Legislature can recommend a prosecution to the Attorney General, so the Attorney General has no right walking in here and saying "I heard you had a little enquiry last week and I am looking for a man." The Speaker has to bring it to his attention, and if the Speaker, does not bring it to his attention, that is the end of the matter. We are therefore maintaining a firm control over our own proceedings.

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

Clause 16 was called and passed.

9.05 p.m.

Clauses 17 to 24 inclusive were called separately and passed.

Clause 25 was called. It reads as follows:–

25. Any stranger who –

(a) assaults, hinders, obstructs or insults any member coming to, going from or being within the chamber or the precincts of the chamber to which the member belongs; or

(b) interferes with, resists or obstructs any officer of either chamber while in the execution of his duty; or

(c) creates or joins in any disturbance which interrupts or is liable to interrupt the proceedings of either chamber while it is sitting;

is guilty of an offence and liable on conviction thereof by a magistrate's court to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Hon. W. A. CRAWFORD: I beg to move that Clause 25 stand part.

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

Mr. WALCOTT: Mr. Chairman, this Section is like a similar section in the Workmen's Compensation Act and from my experience that section has given the Courts a lot of trouble. This Section says: "Any stranger who – (a) assaults, hinders, obstructs or insults any member coming to, going from or being within the chamber or the precincts of the chamber to which the member belongs;" –

What I want to know is this. "Coming to, going from", where does that begin and end? It is always a row about that. Under the Workmen's Compensation Act, the row is about when employment begins. As regards this, I want to know whether it begins at the gate, in the Courtyard or where does it begin? I want to know as regards this Bill when I am free to knock down a man and nobody interferes with me. I do not want to call any policeman. I want to know as regards this section where it begins and where it ends.

Mr. MOTTLEY: Mr. Chairman, I have the same remark written before me before I came in here. It was always mooted that whenever His Honour the Speaker claims from His Excellency freedom of speech and freedom from arrest at the opening of a Session that that did not mean any member could run down Broad Street and carry away somebody's turkey. Therefore, when I got in here I enquired what this actually meant and I was told it meant on your way to the House of Assembly and from the House of Assembly.

Now, that you have it written in this Bill and it is becoming the law of the land it is fair that we understand it. Let us take the hon. junior member for St. Thomas. This is only a supposition. Suppose you have a warrant out for him for alimony and he was on his way from his home to this House of Assembly. Let us say that on his way out he drove from Dayrells Road and said that he was going by Boarded Hall before coming to the House. Now, he is on his way to the House. It says: "Any stranger who assaults, hinders, obstructs or insults any member coming to, going from or being within the Chamber or the precincts of the Chamber to which the member belongs."

A stranger under the interpretation of this Act means in relation to each Chamber, any person other than a member or an officer of that Chamber which means a person not appointed by the House. I would like this explained. You might consider a Writ Server a stranger and let us say he had a warrant for somebody for alimony. So many people believe that because you become a member of this House that you can get away with murder. Let me make a supposition of myself. I am coming to the House. I wonder if I chose to take a ride down Black Rock from my way home if that could be considered that I was on my way to the House. Of course, it is on the way to the House.

In all seriousness, I would like to know from the Hon. Premier of the country who is the hon. member with the legal knowledge how we stand and what the position is. (A VOICE: I would say lock you up.)

I understand your being within the Chamber but I cannot understand coming to or going from. I may be coming to this Chamber from 3.00 o'clock this morning. It goes

on to say any stranger who interferes with, resists or obstructs any officer of either chamber while in the execution of his duty. When I ask the first question, as it was regards the definition of officers, I was told it meant the Clerk, the Deputy Clerk, the Marshal, the Deputy Marshal but it does not mean the Reporters or Stenographers. Well, does it mean the Police as well?

Mr. WALCOTT: While on that, I do not know if all of these Bills are always drafted with all of the correct punctuations in them I say that because I know that I have found an error in the Trade Union Bill in which a comma not being put in the proper place made a lot of difference.

"A member going to or coming from." I want to know where that begins and ends. Then it says "the precincts of the Chamber.' Do you mean inside here? I do not know if it means when you enter the Courtyard that that is a sort of no man's land as regards coming to or going from. I think it would be good for the public to know about that.

Hon. E. W. BARROW: Mr. Chairman, I do not think that it is appropriate for me to give legal opinions on hypothetical cases. I think the interpretation of the Clause is a matter for the Courts. Since we are not potential offenders, I do not think we have to worry about it. If I started to give an opinion on this and say that it means between here and the gate or between here and the end of Broad Street, I think I would be stepping beyond my bounds.

I think this is a matter which should be left to the Courts to be interpreted whether a person was actually coming to or going from the Assembly. Of course, it is also possible that a member may be coming to the Chamber when he is down Pie Corner but if it was the day before, I do not think any Court would feel itself restrained to rule that he was coming to the Chamber. On the other hand, another person may be just outside of this Chamber just before the House is due to meet and although he was actually on the threshold he was not obstructed while pursuing his legitimate object in coming to the House.

In May's Parliamentary Practice, 15th Edition, Chapter V, dealing with the problem of Privilege of Freedom from Arrest or Molestation, it is stated:-
9.15 p.m.

"The privilege has been defined both positively and negatively; the positive aspect of the privilege is expressed in the claim of the Commons to freedom from arrest in all civil actions or suits during the time of Parliament and during the period when a Member was journeying to or returning from Parliament."

That is about all that bears on the matter. They do not say "going" or "coming" but "journeying". That gives the impression that they may be journeying on a vehicle or on foot. It does not necessarily mean walking into the Chamber or out of the Chamber or of the precincts of the building itself. It is purely a question of fact for the judge to decide in each individual case, having regard to where his place of business was or whether he was reasonably expected to be returning to or coming from it, if a person was not within the immunity provided by the clause which we are now discussing. I think it would be very unwise to give an answer on a point like that, and I know that hon. members fully appreciate my position.

Mr. WALCOTT: Mr. Chairman, I do not expect the Hon. Premier to give a legal opinion in this matter but it is within the province of the House in dealing with a Bill to raise questions, because the Courts would say: "We are nothing to do with intention of the Legislature." What the Hon. Premier has read from May's Parliamentary Practice is very clear to me. You may have a situation where a demonstration was to take place and somebody may elect to go to the house of the Hon. Leader of the Opposition and try to prevent him from coming to the House because the person may feel or know the stand which he is going to take.

Mr. MOTTLEY: He cannot go to your house.

Mr. WALCOTT: There is nothing to prevent him from going there. As the Hon. Premier knows, this is the same sort of wording which appears in the Workmen's Compensation Act, and lawyers worked for big money until they established the point that going to and coming from had its meaning and they do not worry with that now.

Mr. MOTTLEY: Mr. Chairman, I must say that I do appreciate the stand which the Hon. Premier has taken in this matter. He has not been offensive; on the contrary, he has been forthright in saying that he could not give us any opinion. We passed an Act in connection with political meetings and the ex-Prime Minister of the West Indies said at that time that from the time we passed the Act, the Election was on. Hon. members will remember that. That is what I would call intellectual dishonesty. Anybody who thinks that he can put anything on a layman, he is intellectually dishonest; that is why I will curse you. That is where you are acting like a pig. In this case, I must admire the stand which the Hon. Premier has taken. We were at a loss to understand what this meant. We will have to work in accordance with it. You should not pass any law and say that you can commit any criminal offence and the law cannot catch up with you. It is my opinion that on the way to this House you can be caught up with the law if you commit any offence.

Mr. WALCOTT: Yes, if you commit murder.

Mr. MOTTLEY: You do not have to commit murder.

The question that Clause 25 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 26 to 40 inclusive were called and passed.

9.25 p.m.

On the motion of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. W. A. CRAWFORD, seconded in each case by Hon. C. E. TALMA, the Bill was read a third time and passed.

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Order No. 1 be the next Order of the Day, to resume Committee of Supply to discuss the Resolution commenced today.

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

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

HOUSE RESUMES COMMITTEE OF SUPPLY

Mr. SPEAKER left the Chair and the House resumed Committee of Supply, Mr. BATSON being in the Chair.

SUPPLEMENTARY ESTIMATES 1962-63 NO. 32

Mr. CHAIRMAN: When the House was in Committee, the hon. senior member for Bridgetown was speaking. The hon. member is not now in his place.

Mr. WALCOTT: Mr. Chairman, as far as my views go on this matter which we were discussing, if the Government feels like giving these people a travelling allowance or a compensatory allowance, they may do so. It may be a question of opinion, but from what the hon. Premier has said, what I would like to point out is that I do not agree that there is any logical basis for regarding this as a compensatory allowance, because the position of the magistrates today is not worse than it was hitherto. My view of it is that the relative position is better, because they complained that they were being restricted to live in an area in which

they had to rent a house and got no house allowance thus creating a greater hardship on them than if they remained in the house they owned or paid rent wherever they resided. I would say that the fact that a magistrate has a car which is his own property to take him to the job he has to do, puts him in no different position from any other public officer who has to leave his home and go to any point of work.

Let us be quite frank about it. No man in Barbados at any point is at a disadvantage because he has to work at Bissex, Speightstown, St. Philip or anywhere else, because on a radius, the time taken to get from any point to the other is about the same and there is no hardship. If the Government has been impressed that these magistrates do not have a claim for travelling allowance under the Travelling Allowance Act, but have a claim for an allowance which the Government originally put as a travelling allowance, but which they now bring as a compensatory allowance I myself do not see why you should have to compensate a man to get to work. So do not say that the old Act under which he had to reside in the area made it anymore difficult. What I would say in this situation is that I hope the Government will make corresponding arrangements now to suit the local needs of the community, so that when a magistrate is the magistrate, say, for District "E" and lives in St. Philip, some local provision can be made so that when anyone wants to get bail, someone can sign the warrant and give him relief for bail, otherwise the person would have to sleep in gaol until you can get the magistrate. That is one of the advantages of having him reside in the parish, but in modern trends, you do not have the same reasons for requiring a magistrate to live in the parish, because mobility is easier and you can get from point to point easily.

Mr. Chairman, I think the Premier was making out a case for the case that was made out to him more, than that it was a logical case, because to be quite frank to the magistrates, there is no claim that they have for compensation since there is nothing they have lost under these new appointments. Far from that, I would say that the magistrates are better off with these arrangements, and when you give them this extra allowance, it is an extra allowance bearing in mind that they have to purchase a motor car, and you usually take it that a man is not appointed as a magistrate right away, but serves at the Bar for a little time, and any person who has pursued the legal profession should not be in such pecuniary circumstances, or his reputation was such that he would not be able to get the normal credit that other people would get in order to repay the loan on the motor car. That is why I say I do not see compensation as a reward to these people, because we have nothing to compensate them for. Moreover, I think the time is coming in Barbados when we should drop all these colonial phrases. You pay a man a salary, and if you have to give him travelling allowance or a housing allowance, give him; but this compensatory allowance is going to be a phrase which I am sure other Civil Servants will make use of at the slightest move. You have control Officers at Seawell who are going to come, and you know that we had a row with the Control Officers when they said that their job was at Seawell Airport and they had to travel by bus. I know that people go to Seawell Airport for the Government of Barbados and they do not get a compensatory allowance; they have to get in a van and get there. You must open up the door, and that is why I say I do not see the magistrates being eligible for compensation based on the fact that you have changed the Act.

9.35 p.m.

They are not now required to live in the district and I would say that many of them have better conditions of employment by being allowed to live at their respective homes and not forced to break up their home life and to pack up and go elsewhere. That is why I said that calling it a compensatory allowance was not justified.

Mr. MOTTLEY: Mr. Chairman, when the House adjourned when we were speaking on this Bill, the Hon. Premier replied to me and when listening to him, he said that he always wondered why I had to say a thing twenty-nine times. He should not worry about that because he just has to look on his right and he would understand why I have to say it so often.

Anyway, as the hon. senior member for St. Peter said, the Hon. Premier made a long speech but it was only at the end he told us that a Magistrate is no longer appointed to a district as was done in the old days and that is the salient point which I wanted to know something about. The Hon. Premier has told us all that we should know. He has told us that a Magistrate is no longer appointed as a Magistrate of District "A", District "B", District "C" or District "D' as in the old days. He also said that it is a long time since they have been required to live in their area of work; they are appointed Magistrates of Barbados and the Chief Judge has the right to move them around from place to place.

I agree with the argument of the hon. senior member for St. Peter. It is not a compensatory allowance. This is in fact, what the Government feels is due to them through the change of appointments. It is better for the litigants too to have Magistrates changing around and to have Magistrates becoming acquainted not only with traffic cases but with civil cases and so on.

I am not offering this Resolution any opposition but on the last occasion when I suggested the postponement of this Resolution and the Government accommodated us with the postponement to bring it back, I felt that what they said it was, that is, a station allowance, was not correct. I still feel although they have changed it to a compensatory allowance that that is not correct. I am going to use the Hon. Premier's words when he said that you appoint Magistrates so that they can be moved around every day or every week and you are going to give them travelling allowance. If that is so, than all Magistrates should get a travelling allowance. He said that the reason why it was not given to Magistrates working at District "A" is because we find the majority of the Magistrates live in St. Michael.

Hon. E. W. BARROW: I rise on a point of order. May I correct the hon. member. I said within the jurisdiction of District "A", which is a different matter.

Mr. MOTTLEY: Yes, the jurisdiction of District "A" may run to Dayrells Road. Well, now, if you change the method of appointment and you say that all Magistrates are appointed Magistrates of Barbados and can be posted at District "A", "B", "C", "D", or "E" and we accept as a fact that a Magistrate appointed to District "B" finds it difficult to get there, call it whatever you like; call it a station allowance or a compensatory allowance, we know that it is a travelling allowance, hence my argument is, why give a travelling allowance to those who go to District "B" or to the other rural districts except District "A"?

I am not using any argument about any Magistrate being taken advantage of. What I am saying is that you are going to give a travelling allowance to those Magistrates who work in the rural districts. I say if you are going to give a travelling allowance, then let it be a travelling allowance to all. As you have said, they are appointed Magistrates of Barbados and they can be removed every week from one district to another. I repeat, I agree with the hon. senior member for St. Peter when he said that it cannot be a compensatory allowance because it is not given for anything which they are losing. If a Magistrate comes to Barbados, the post carries a salary of so much but it does not carry a travelling allowance. We, in this House can criticise Magistrates or doctors although it is said that we should not but you can criticise them because you can live without having to appear before a Magistrate or you can live without going to any doctor whom you have criticised. If they are appointed Magistrates of Barbados and you are going to give them travelling allowance, my contention is that with this arrangement that they can be removed from one place to another with a moment's notice, they should all get a travelling allowance. Your point is that the majority live in District "A". You can get them living in the area but living four miles away.

You are going to run into this difficulty. Those that are stationed at District "B" Belleplaine, and Holetown

may work for two days a week but I want to assure the Hon. Premier that it is within my knowledge that while those Magistrates work for two days a week, the Court is open to business for five days. I do know too that in some Courts they have two Clerks but the office is open for five days. I understand that for all the years past, an allowance is given to these Clerks notwithstanding where the Clerk lives. I do not know what amount it is today but I knew that if he was posted at Maughn Hill Station, that is District "C", he got $16 a month, whether he lived in the City or near the Court. There was no Belleplaine Station then. Quite recently, one Clerk who was stationed at one of these Courts was actually forgotten by the authorities. He was living in Cave Hill. He tendered his resignation, perhaps before his time was up and when asked why he had resigned, he said to them that they had kept him so long there that they had actually forgotten he was there.
9.45 p.m.

There was one point which the Premier has made today that we were not aware of, that is, that magistrates are now appointed as magistrates in the island of Barbados, and not as magistrates of any particular districts. Now that we are aware of that, it is my opinion that if you are giving an allowance which approximates to that of giving a travelling allowance, then travelling allowance should be on a basis where all magistrates could get it. Let us say that it is better for the administration of justice; nothing can interfere with the administration of Justice more than when a magistrate has to deal with these cases which occur at standpipes. My feeling is that you should not single out the magistrate at Dist. "B" for one amount and those at other rural districts for another amount. According to the supplementary note, the magistrate at Dist "B" will get $300 per annum as a compensatory allowance and the other magistrates will get $480 per annum as such allowance. But if these magistrates live outside of Dist "A" they will not get anything.

Mr. YEARWOOD: They will be transferred.

Mr. MOTTLEY: Well, you can transfer all the others. It is my feeling in this matter that all of these magistrates should be given the same amount.

Mr. WALCOTT: Mr. Chairman, what is strange to me is to hear the Hon. Premier say that St. Michael is the area. You make a hypothesis that St. Michael is the basis and you start off from St. Michael and say you will pay a man to go to Dist. "B". If St. Michael is the basis and you pay a man to go to Dist "B", Dist "B" is just five or ten minutes driving out of St. Michael by a motor car.

Hon. E. W. BARROW: It is six miles.

Mr. WALCOTT: Why must you pay a man to go to his work at Dist "B" or at Holetown. Barbados has a population of 240,000 people. You live in Speightstown and you have to come to Bridgetown to work. If a man gets so drunk as to say that he should be paid to go from Bridgetown to Speightstown to work what would you say? There may be one or two cases of Coroner's Enquiries to be attended but there cannot be any logical basis for using St. Michael as a basis. If all the magistrates' courts were in St. Michael, then the payment of a compensatory allowance would not arise. Why should a magistrate have this favourable treatment to get to his job in the first instance and other Civil Servants are not similarly treated? The Auditor General lives out of the City and he cannot bill the Government for taking him out and back. How can a magistrate be in a different position from other people? How can we justify a magistrate getting this allowance when we ignore the other people in this respect? Even when you are under the Travelling Allowance Act you will never pay back for the car you are purchasing. Some of these people will not worry with the motor car because it would be the same thing if they went into a garage and brought out a car.

Mr. Chairman, if the last Government had brought down this proposal — I remember that the last Government brought down something like this and there was a big dispute in here. I cannot see why a Government should bring down a matter like this; where is the justification for it? The late Mr. Abrams was a magistrate who used to go to St. Joseph to work and are you telling me that a man who has a motor car — Mr. Chairman, I will tell you that there is too much feather-bedding going on here. You will give a man £100 a year more, you will give another man £75 a year more and you cannot justify it. If this Government by its policy elects to give a man money like that, it is all right, but I cannot see how the Government is going to restrict the spending of money in one breath and then in the other breath it is going to take money and give to people where you cannot have any justification for it. The Premier has said that these Civil Servants are unreasonable; they put us in a squeeze because they cannot find $3 million. What is the salary of a Magistrate now. Is it $500 a month?
9.55 p.m.

You will see a man about here and in 18 months he goes away and comes back as a lawyer. In the time that a man goes out and comes back as a lawyer and starts to work as a magistrate, somebody as an engineer has not started to work yet. This is a job for which you pay more money and yet you are compensating these men. There is no logic in it and I do not like it. I was under the impression that in the past they had a house allowance, and in lieu of the house allowance to which they were entitled, you were giving them this, but you are going to take money from the Treasury to give a magistrate for going from where he lives to his job. All of us have things to do, and the only persons who do not get these privileges are the members of the House of Assembly. We have big constituencies to see about, and we do not get travelling allowance to travel through them, but a magistrate who has to leave his house and go to work is going to get a travelling allowance. It does not impress me. I do not like it, and I do not think there is any justification in paying them this money and I am going to voice my disapproval of exercising my right. I am not going to support paying them $40 a month or any money for travelling allowance. They are not entitled to a travelling allowance, because they are well paid, and if they do not like it, I would say let them resign.

Hon. E. W. BARROW: Mr. Chairman, the last speaker, the hon. senior member for St. Peter made several statements which I want to correct. The first statement he made was to the effect that we are paying magistrates something we do not pay other Civil Servants; this is *apropos* to the suggestion that magistrates are travelling to their place of work. Right away I want to disabuse his mind of the concept. I will give him three illustrations where his premises are unfounded and incorrect. The clerks of the same Courts over which the magistrates preside who are definitely travelling to their place of work and are not subjected to removal at short notice to other courts get a special travelling allowance. There is no house allowance for any clerks. We want to deal with it from the travelling aspect alone. Secondly I know of Excise Officers at the Customs who have been doing the same job year in and year out. Some of them have as long as 7, 8, 9 and 10 years doing no other work but travelling from their place of residence to Mount Gay Distilleries or any one of the other distilleries, and they are not provided with travelling allowance; they are provided with a taxi to take them. The $30 or $40 being paid to magistrates could never be equated to the cost of a taxi from the Customs to Mount Gay, and we have made a basic point in making these calculations. These officers are provided with a taxi for going to the same place of work and have been reporting to the Customs, and the hon. member knows better than I do that the taxi drivers after a time, provided it does not put the taxi owners too much out of their way, pick up the clerks at their homes anyhow. It is considered part of the job, although strictly speaking, they do not have to do so. The contract may not necessarily call for that, but after doing his job for some time, they want to get the job in future and if they give satisfaction, they are likely to get renewal of the contract on representation from the Controller.

Thirdly, I think it was when the hon. member over there was a member of the Executive, this House — I am

speaking purely from memory — passed a special provision that officers in the Audit Department who have to go to the Courts in the rural districts get a special travelling allowance which is in excess of this allowance which is being given to the magistrates. That is their place of work because they do not have to work down here the day they have to go to the country court, therefore that becomes their place of work, and if magistrates are being shifted about, how can you say it is unreasonable in view of the experience? Some of them work for 15 years, some of them retire on pension having started off working at the particular court, and yet they get this special travelling allowance to go out to the rural courts. You cannot look at working at the courts, especially when they have to be shifted, and make the same analogy as for somebody else going to work.

It may surprise the hon. member to learn that it is within my knowledge that there was great difficulty in recruiting magistrates here in Barbados, and we had to bring back a lot of retired Chief Clerks and magistrates to act, some of them acting in three and four courts at one time. Sometimes they had to move from one court to the other, and occasions did arise where a magistrate was ill or on leave that one magistrate had to do two courts in one single day, because I have had to move from one Court to the other and wait until the magistrate finished the case at one Court before he came to the other. Quite apart from the several jurisdictions like District "F", District "E" and District "D", which is one at District "D" and two at District "F", the magistrate may often have business to contract at all of these courts in the process of one day. There may be a question of bail or a question of adjourning cases set down or something like that or actual hearings which for special reasons the magistrate has to preside over, and even although he had worked at District "E" in the morning he had to work at District "F" in the afternoon. I must tell the hon. member that in bringing back these retired magistrates, they only came back on the condition that they got a special travelling allowance, and that has been going on now for a very long time. Fortunately there are not so many retired people working as magistrates, because I think the magisterial establishment is more or less up to its full compliment at the present moment, but this was going on up to quite recently.

Mr. Chairman, these special allowances were being paid for travelling as long as it was not in District "A"; so there is an abundance of precedents for the actions which have been introduced here today, and I do not think hon. members need fulminate against magistrates getting all this big lot of money, because in the legal profession most of the magistrates I know, whether they were solicitors or barristers, could probably work for more money other than on the Bench, but it is only a question of pension and security. The question is that we are paying clerks in Courts, paying people who go to audit books and paying people who acted in the posts before the establishment and paying Customs Officers. Some of the Customs Officers that I have known for over a period of years would not move from that job at Mount Gay at all, because they get a taxi ride all the way to Mount Gay and nobody is bothering them. They understand the work, they like the work and it is no inconvenience or disruption to them. Customs Officers who go to the rum refinery have been provided by the Government for all the years not with a travelling allowance but with a taxi; so if a customs officer has his own car, he can leave it at home and travel all the way to Mount Gay. 10.05 p.m.

We do not have to conduct class war all the time. You have the idea that you must try and bring somebody else up to the same level and just because he is a Magistrate the hon. member must fulminate against this particular class of officer and say nobody else enjoys this privilege. So I just draw to the attention of hon. members that these are the circumstances which they were not aware of before.

Mr. WALCOTT: Mr. Chairman, as I have often stated, I do not make personal references so the personal reference of class war would be more attributable to the Hon. Premier because by his very nature he is imbued with that class of war. I have never been in the habit of regarding class from class so the remark of class war would have more meaning to him. He has made more remarks of class than I am a Socialist. I do not believe in privilege or any person bing in a privileged position so when you tell me of class you are prodding around in that position. The Hon. Premier's premises are wrong because he does not know enough of the Civil Service structure.

Hon. E.W. BARROW: I worked as a boy in the service.

Mr. WALCOTT: That is twenty years ago. Working in those days in the Service does not mean anything. A boy working in the Service twenty-five years ago would not know anything of the Service. Does he mean that in those days he was studying the Civil Service structure? Do not talk about those days. Let us deal with the Service as it is today. The Hon. Premier said my premise is wrong. He spoke of the Revenue Officer and the Revenue Officer is going to Mount Gay Distillery certain days. What the Hon. Premier does not know is that the Government does not pay that man: Mount Gay Distillery has to pay the Revenue Officer and as Revenue Officer, you are not under the Travelling Allowance Act. At one time they had one at Kingsland Factory too. What happened was that the Customs authorities said that if you want a Revenue Officer to come there you will have to pay him but that officer was not appointed to Kingsland. There is no Mount Gay officer or no Stades Officer. You are an ordinary Civil Servant moving up in the establishment, and those officers are usually Long Grade Clerks.

What happened in the old days was that you removed a Clerk from Bridgetown and you sent him out to these District Courts and because you said that the establishment happened to be in Bridgetown so that it was felt that when you were appointed, you were appointed to work in the Public Buildings then, you gave the Clerk an extra allowance. In those days, they were not many motor cars so they gave that man a house allowance so that he could make provision for living around if he cared. What it watered down to was that these officers complained that they could not find a suitable house to rent. When they could not get a house to live in, they had to wend their way back to town and because they lived in their own house they could not draw a house allowance so the authorities had to change it to a travelling allowance. That was not the case so far as the Clerks were concerned. No officer can be paid travelling for getting to the Audit Office but if any officer there is assigned to visit another office away from the Audit Office, travelling is paid for getting from the Audit Office to that point. Let us say that you are sent from the Audit Office to the General Hospital. You can get a taxi and go there and you will get a travelling allowance. The officer does not get any special allowance for going there. All of the people under the Travelling Allowance Act can make a charge any time they move, let us say from the Audit Office to a point outside of the Audit Office.

What I was saying to the Hon. Premier was that you are recruiting Magistrates and giving them a travelling allowance and not a compensatory allowance because a compensatory allowance would mean that you are paying them compensation for something that they never received before.

The Hon. Premier is begging when he tells me about fulminating. I do not want to cast any reflection on the magisterial service which you have because you have some very capable men in it. I was born in the West Indies. What are you telling me about the Magistrates which we have? Do you mean to say that a lot of them can come out and work for more than what they are getting? Some could not get fowl cock cases to plead for before they went on the Bench. I say that it is good that we have a magisterial system otherwise some lawyers would have to beg their bread. If they had to be advocates all their life, some would have to beg their bread. Therefore, I say that some were glad when they got a Magistrate's job. If you do not have posts of Magistrate, some would have to go and take a job of making out complaints. It is well that you have a good magisterial system because I believe, speaking for myself, in a community like Barbados it is essential and vital to this country that you should have a proper magisterial system because the majority of advocates who could not get a case

in Barbados have to go to Magistrates first. If you did not have a good magisterial system, what would happen here? You get the case of somebody chopping somebody at the pipe. If you did not have a Magistrate's Court for that, somebody would chop off somebody else's head.

I repeat, do not say that you have to compensate them or else you could not get them. That is no argument nor is it an argument to say that you are giving them something for what they lost. I object to these unnecessary personal references on the basis of what the Premier made. 10.15 p.m.

I object to these unnecessary personal references on the basis on which people make them; in my opinion, they are uncalled for, You must be able to debate something in here without anybody saying that you are using unfair motives. That suits the tamarind tree where people have a flask of rum and that sort of thing. I do not suffer from any inferiority complex. These personal references will make a debate run off the line. We are talking on the basis of magistrates; we are making comparisons in the Civil Service, that is where you are not paid to go to your work. If you are making a special case for the magistrates, then do so, but do not say that I have taken the wrong basis for what I am saying. I regard myself as a workers' representative and I know where people could get better treatment. I am satisfied in my mind that there cannot be any basis for a compensatory allowance to a man who did not lose anything prior to the changing of the Act. As I say, Mr. Chairman, I do not understand the use of these personal references at all.

Hon. E. W. BARROW: Mr. Chairman, if hon. members would look at the Draft Estimates for 1962-63, under the Head "Judiciary", they will see Item 34 "Travelling Allowance" and the Note to that Item reads as follows:-

"To pay travelling allowance to Magistrates in accordance with the Travelling Allowance Regulations and to ten Magistrates' Clerks as follows:- eight at $264, two at $316.80 and one Stenographer at $264 per annum. Provision also included for travelling for the Chief Justice, Puisne Judges, members of the Liquor Licensing Authorities."

There is a provision of the sum $4,250 to pay these Magistrates, ten Magistrates' clerks, and one stenographer Travelling Allowance. Out of this provision there is a total annual cost of $1,740 for the Magistrates and the total amount for the Magistrate's clerks and Stenographer is in the vicinity of $3,000. There is also a Travelling Allowance for the Chief Justice and it has been the habit for years to pay acting magistrates travelling allowance because they refused to act otherwise. We say that it would not be the proper thing to put travelling allowance here because they may come in and say that they should get travelling allowance at the usual rate of 28 cents per mile.

Mr. Chairman, there is one other matter which I forgot and that is to point out how this matter came before the Committee. In the Report of the Commission which was appointed to review the structure of the Civil Service and the remuneration of public officers and Government employees of Barbados, Mr. Jacobs, at Chapter 14 of the Report dealing with the Judiciary, Legal and other Government Departments at paragraphs 14.5, and 14.6 deals with this matter. In paragraph 14.5 he said this:-

"I understand that certain officers are provided with free telephones and the Magistrates are not numbered among them...."

Well, we have cut down on the telephones. Then in paragraph 14.6 he says this:-

"Clerks of Courts already receive a commuted allowance for journeys and a recommendation for Police Constables to be allowed to travel free on buses is made elsewhere in this Report."

That has been implemented. We have had a supplementary provision here last year for the purpose of buying more bus tickets for police constables travelling to Courts. Mr. Jacobs in this paragraph goes on to say this:-

"It seems to me that in an Island of the size of Barbados, officers who hold posts that render them liable to transfer frequently and who cannot reasonably be expected to be called on to reside in particular places or to move house each time they have a new posting should be entitled to travelling expenses of the appropriate kind. I therefore recommend that magistrates are allowed travelling expenses on the basis of the proposal stated above."

Mr. Chairman, that was the recommendation of the Salaries Commissioner but we did not entirely agree with him. We try to effect some kind of compromise, bearing in mind that Clerks get allowances for leaving their homes and going to the country courts of this Island. Speaking subject to correction, a Clerk lived next door to the Court and still got his compensatory allowance. I know a case in a district where a clerk lives not more than half a mile from the court and there is no provision not to pay him travelling allowance. How can we have one law for the clerks and another one for the Magistrates? The hon. senior member for St. Peter was annoyed with me because he was fulminating against one kind of officer; but it seems strange that a magistrate is not getting something which a Clerk is getting. The Jacob's Report was implemented with some even greater extravagance and we have all of this analagous situation in which people have been paid special duty allowance. We would like this to be designated as travelling allowance.
10.25 p.m.

We would not like this to be designated as a travelling allowance pure and simple, and that is why it has been called a compensatory allowance. I do not care what name you call it, the point is that this allowance will be paid to magistrates because they have to move from one Court to another at short notice sometimes or no notice at all.

Mr. WALCOTT: Mr. Chairman, I do not want to pursue this any longer, and this is the last time I am going to speak on it. Whatever the Government does on any matter it is the Government's business; but it is a different thing when you came before the Legislature where you have different points of view. The Government can say they are doing this no matter what it is called. That is their privilege and right. I take a different line from the Leader of the Opposition, because he said he was not aware of these things. The last point the hon. member raised is that magistrates have a travelling allowance in accordance with Travelling Allowance Regulations. Travelling Allowance Regulations are regulations under which travelling allowances can be paid when you go outside the place. They were not paid for going to the Courts. The money was utilised when he had other duties to perform that took him from, say, the Court to the Reef.

Hon. E. W. BARROW: The hon. member is quite wrong. The magistrates were paid travelling, and acting magistrates particularly were paid travelling from their homes to the Courts wherever the Courts were. As far as I know, that has been applied to travelling from Christ Church to District "A" or St. James to District "A". District "A" magistrates also, I believe, were entitled to travelling if they had to go and view a body somewhere or make the Clerk of the Court get a taxi, but in respect of going to the day to day sittings, acting magistrates used to be paid this allowance.

Mr. WALCOTT: Mr. Chairman, as I said, under the Travelling Allowance Act Regulations, a magistrate could not get this allowance to go to work. What happened as the hon. member said is that the person is presumed to have gone to the Courts where he is working. The Head of Department does not get snoopy and say that in order for the person to draw his travelling allowance he is going to make him drive from his place up to the place where he has to work to justify it, but a travelling allowance bill is put in as though he had been and come back. That is the sort of privilege that some officers get. Magistrates do not have a lot of travelling to do when they go to work but provision is

placed there that when the magistrate is on the Bench he has to perform several duties sometimes for which he is not now at home. A case may be going on and he may get a notice from the police that he has to visit some body, and these are the things that are put in under the Travelling Allowance Act so that the Head of Department can say that it is travelling under that Act; so there was never any doubt about that. When the hon. member spoke about the other allowance, the original position was that the Clerks could not live in the district and you had to commute it on the basis of a travelling allowance. That happened in my time because in my time they had to live there and when they could not live there you turned it to travelling. What did Jacobs say? He said five miles, therefore how can you justify $40 to go to Boarded Hall if you are talking about the jurisdiction of St. Michael. You should read the Jacobs Report, because you made increases when you brought the recommendations and therefore there would have been an increase to the magistrates' salaries. When the magistrates' salaries were recommended and came here as a result of the Jacobs Report, that was settled; so you cannot come and say that in accordance with the Jacobs Report you are now doing this because we settled all the anomalies based on the Jacobs Report. As far as I am concerned, any Government can do what it likes, but I do not have to agree.

The question that Head 5 – Judiciary – stand part was put and resolved in the affirmative without division.

Head 38 – Medical (2) General Hospital – was called.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Head 38 – Medical (2) General Hospital – stand part.

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

Mr. BOXILL: Mr. Chairman, I am sorry that the Minister of Social Services is not in his place, but I want it brought to the Government's attention that there is a portable X-ray being used at the Hospital now. As we know, they usually have an X-ray for taking pictures and one for treating cancerous cells. The portable one they are using at the Hospital is the one I am speaking about. It is transported to the different wards, but the nurses are not given any protection whatsoever. Those of us who know anything about X-rays do know that they give off gamma rays. Those who know anything about John Foster Dulles would remember that after Mr. Dulles went for X-Ray treatment, even the nurses with the best of protection in the United States could not go to Mr. Dulles unless they were using some sort of lead shield. I am therefore drawing to the attention of this Government that some sort of protection must be provided for those nurses who must use this X-ray daily in treating cases especially of cancer of the cervix. It is not right to expect a human being to subject himself or herself to this exposure. I know as much about cancer as anybody, because nobody seems to know anything about it. Do not let these nurses expose themselves to using this machine without some sort of protection. To give you an example, Mr. Chairman, I have known on more than one occasion where nurses' blood count dropped as low as 500 or 400 whereas normally it should be in the vicinity of 1,200.

I know, Sir, that some members like the hon. senior member for Bridgetown feel that doctors and magistrates should not be spoken against. I am not speaking against any particular doctor, but I am saying that we were put here to represent people, and I am calling on the Government to make it a point that no nurses be allowed to use this X-Ray machine without having some proper shield. I am not necessarily advocating a lead shield, but some sort of rubber protection to protect these nurses. If we sit here and allow this to happen, we are going to create more cancerous cells in Barbados than we are curing.
10.35 p.m.

Mr. MOTTLEY: Rubber protection is wrong. Rubber protection may be used for other things but not for that. I too have received this complaint. The Hon. Minister of Social Services is not in his chair.

Hon. C. E. TALMA: If the hon. member would give way, I wish to say that the point raised by the hon. junior member for St. Thomas has been noted and we will draw it to the attention of the Hon. Minister of Social Services.

The question that Head 38 (2) stand part, was put and resolved in the affirmative without division.

HEAD 38 – MEDICAL (6) HEALTH CENTRES

Head 38 – Medical (6) Health Centres – was called.

Hon. W. A. CRAWFORD: I beg to move that Head 38, Medical (6) stand part.

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

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

HON. W. A. CRAWFORD: I beg to move that this Resolution for $2,519 do now pass.

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

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

On motion of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA, Mr. CHAIRMAN reported the passing of one Resolution in Committee of Supply.

Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. W. A. CRAWFORD, seconded by Hon. C. E. TALMA in each case, the Resolution was read a first and second time and agreed to.

GOVERNMENT BUSINESS ENDS

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister of Education: To resume debate on a Resolution relative to the Report of the East Caribbean Federation Conference, 1962.

Hon. W. A. CRAWFORD: The Hon. Minister is not in his place.

Mr. SPEAKER: The matter may be proceeded with notwithstanding.

Hon. W. A. CRAWFORD: Mr. Speaker, I think that brings us to the end of Government Business for the Day.

THE ADJOURNMENT

Hon. W. A. CRAWFORD: In moving the adjournment until next Tuesday at 2.30 o'clock p.m. I would like to serve notice that it is the intention of the Government to deal specifically with the White Paper on Federation. We therefore ask hon. members to give up their time on Private Members' Business, so that when we come at 2.30 o'clock we will be able to deal with the White Paper right away until the debate is finished. I am not saying that we can finish next Tuesday because all hon. member who want to speak can speak. However, I think most of the important speeches have already been made.

Mr. SPEAKER: Of course, that is only a matter of opinion.

Mr. WALCOTT: Mr. Speaker, before you put the question I just wish to say that the Hon. Leader of the House made it quite clear that we are coming here at 2.30 o'clock in the afternoon and when we come at that time which is Private Members' time, he wants us to give up that time to start off debate on the White Paper which is Government Business. Why can't he adjourn until 12.00 (noon) instead? When will we stop this sort of attitude? You come in here

and you want hon. members to give up their time of speaking on Private Members' Business.

Hon. W. A. CRAWFORD: What is wrong with that?

Mr. WALCOTT: Who asked you to come at 2.30 o'clock? How do you know that some members do now want to start debate on Private Members' Business? Do you think that I put matters on Private Members' Business just for window dressing? Why must hon. members come in here and give up their time on Private Members' Business? Why can't you start your debate at 4.30 p.m.?

Hon. W. A CRAWFORD: It would not get through by the time we would want to finish.

Mr. WALCOTT: I do not like this sort of attitude. It seems as if we are not Members of Parliament. Between 2.30 o'clock and 4.30 o'clock is our time for Private Members' Business, therefore, you have to approach us in a different way. What sort of notice is this that you are giving? Notice to whom? Somebody renting a house? This sort of nonsense must stop.

Mr. MOTTLEY: Mr. Speaker, I would just like to suggest on behalf of my party that if it is the wish of the Government to start at 2.30 p.m. with the debate on the White Paper on Federation that we are quite prepared to give up our time or you can let us meet at 4.30 o'clock and let us go straight on to that.

Mr. WALCOTT: It is a matter of Government Business being done in Private Members' Business time.

Mr. MOTTLEY: I would like to throw a little oil on troubled waters. I expected that we would have had finished with this debate by this time one way or the other. Somebody has hinted to me that I have already spoken. I know that I have spoken and moved an amendment but I am hoping that I would be given the opportunity to speak again. I agree that we come prepared to give up our time of Private Members' Business and go right on straight with this debate.

Hon. W. A. CRAWFORD: Sir, the hon. senior member for St. Peter should be the last to object. When we came here today the members of both Opposition parties agreed to relinquish their time for us to debate this matter and it is because of other matters which we wanted to do that we have not began debate on it today. Therefore, if you say that next Tuesday we are going to suggest that the time normally allocated to Private Members' Business be utilised in debating this matter, what is wrong in suggesting that? We came here in times past and found the time for Private Members' Business utilised by Government.

Mr. WALCOTT: I have been a member of this House for seventeen years and whenever I have a matter under Private Members' Business, it is for me to decide to give up my time. If another member has a matter under Private Members' Business and he decides to give it up, that is his prerogative. The hon. member had an item under his name as Item No. 1 of Private Members' Business on the Order Paper today and he was not here when Your Honour called it. When he came in, did not he ask that he be given permission to proceed with it? I am not going to be subjected to anybody's ruling.

Mr. SPEAKER: Other than the Chair.
10.45 p.m.

Why can you not come here at 12 o'clock? Who prevents you? You want somebody to accommodate you in everything and when I exercise my right you tell me that I should he the last person to speak? In so far as I am concerned, if that is your attitude, then I will exercise my right to deal with Order No. 1 which stands in my name on the Order Paper under Private Members' Business and I will deal with it. I can come to the Assembly every day and I am well; I will come here until I cannot come any longer.

Hon. C. E. TALMA: Mr. Speaker, I beg to second the motion for the adjournment.

Mr. SPEAKER: I should like to say that it is entirely a matter for the House as to whether hon. members will give up the time for Private Members' Business or not.

The question is that this House do now adjourn until this day week, 29th instant at 2.30 o'clock p.m. Hon. members in favour of that will please say "Aye", those against will please say "No". I think the "Ayes" have it. This House now stands adjourned until Tuesday next, 29th January, 1963, at 2.30 o'clock p.m.
10.55 p.m.