

THE House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1962

HOUSE OF ASSEMBLY

Tuesday, 12th November, 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.; Mr. E. ST. A. HOLDER, J.P.; Mr. S. E. SEALEY; Mr. R. St.C. WEEKES, J.P.; Mr. W. R. LOWE; His Honour E. L. CARMICHAEL, J.P.; (*DEPUTY SPEAKER*); Mr. G. V. BATSON, (*CHAIRMAN*) of COMMITTEES and Mr. N. W. BOXILL;

Mr. SPEAKER: It now being three minutes after a quarter past twelve, and there being exactly nine members present as I have observed on a recount, the business of the House will be proceeded with.

Prayers were read.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the meeting of the 5th November, 1963, have been printed and circulated amongst hon. members, and unless I hear any objection, those Minutes will be taken as read and confirmed. (*After a pause*) No objection having been heard, I declare those Minutes to be now read and confirmed.

PRIVATE MEMBERS' NOTICES

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

WHEREAS there are many needy persons struggling to earn an honest living out of meagre businesses, such as small garment manufacturers, or holding stalls in the Public Markets, as Hawkers, as Shoemakers, and in Husbandry,

BE IT RESOLVED that this House request the Government to set up a special fund known as the Marginal Lending Fund: to cover loans up to one hundred pounds (£100) for those said businessmen who are unable to offer adequate security or find a suitable guarantor.

HON' BLES A. DaC. EDWARDS, G. G. FERGUSON, MESSRS. WEEKES, GODDARD and WALCOTT entered the House and took their seats.

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

WHEREAS a vast number of parents have become neglectful as regards their responsibility to their children;

AND WHEREAS teachers in schools through the Island are experiencing much difficulty in teaching such pupils;

BE IT RESOLVED that Government issue a directive immediately to all Heads of Schools in the Island requesting the establishment of Parent-Teachers Association at their schools with a view to sponsoring regularly Seminars and Films Shows on "Family Counselling" to the said parents.

Hon. W. A. CRAWFORD entered the House and took his seat.

QUESTIONS

Mr. CARMICHAEL: Mr. Speaker, notice of my Question has been submitted to the Clerk since Friday, I have not got my copy of that Question before me now, and I am wondering if Your Honour, at a later stage today, would grant me permission to ask that Question.

Mr. SPEAKER: Mention has just been made to me by the Clerk about that Question. I will have a further word later on, if I may, with the hon. and learned senior member for St. James.

GOVERNMENT NOTICES

Mr. SPEAKER: In view of the presence of the Hon. and Learned Leader of the House, I am prepared to revert now to the giving of Government Notices if there are any to be given.

Hon. W. A. CRAWFORD: Mr. Speaker, I appreciate Your Honour's courtesy. I should like to say that the delay on the part of the Ministers arriving here was due to a very important and protracted Cabinet meeting which ended just before our departure for this building.
12.25 p.m.

PAPERS LAID

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

Statement on the proposed Commission of Enquiry reads as follows:-

Statement on the proposed Local Government Commission of Enquiry.

Statement showing Net Customs and Excise Receipts for seven months ended 31st October, 1963.

STATEMENT BY THE HONOURABLE PREMIER
ON THE PROPOSED LOCAL GOVERNMENT
COMMISSION OF ENQUIRY

I have the honour to refer to the Statement which I made to the House on the 15th October, 1963, and to inform the House that the Governor-in-Executive Committee will issue a Commission of Enquiry under the provisions of the Commissions of Enquiry Act, 1908, with the following terms of reference:-

- (a) to enquire into all aspects of the working of the three Local Government Councils of this Island, that is to say, the Bridgetown City Council, the Southern District Council and the Northern District Council, since the coming into operation of the Local Government Act, 1958, and in the course of such enquiry to consider inter alia:-
 - (i) Ways and means of achieving greater efficiency in the services now rendered by the said Councils at the lowest possible cost to the ratepayers and taxpayers of this Island.
 - (ii) the advisability of the centralisation of the administration of the services now rendered by the said Councils;
- (b) to make recommendations thereon.

2. Dr. Richard M. Jackson of Cambridge University has been approached and is willing to be appointed as sole Commissioner.

3. Dr. Jackson is a Fellow of St. John's College, Cambridge, and Reader in Public Law and Administration in Cambridge University. He has served on a number of important national Committees and Commissions in Great Britain. He has had close association with Local Government in Great Britain for many years and was Director of the Study Conference on Local Government in the West Indies which was held at the University College of the West Indies in 1957. Among his publications is "The Machinery of Local Government" which was published in 1957.

4. Dr. Jackson will be able to come to Barbados towards the end of next month to undertake the enquiry.

5. Mr. Leonard Maguire, M.B.E., of the firm of Bovell and Skeete, at one time Assistant Colonial Secretary of the Leeward Islands and later Chief Administrative Officer of Nevis, has consented to act as Secretary to the Commission.

6. The Local Government Commissioner, Mr. A. F. C. Matthews, will perform liaison duties in respect of the Commission of Enquiry.

7. A Resolution will shortly be submitted to the Legislature seeking provision of the funds necessary for the Enquiry.

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 Betterment Charge (East Coast Road, Belleplaine to Bathsheba) Order, 1963".

Resolution to approve the Order entitled "The Special Development Area (East Coast Road) (Belleplaine to Bathsheba) Order, 1963".

Resolution to approve the Order entitled "The Development Duty (Capital Gains) (East Coast Road, Belleplaine to Bathsheba) Order, 1963".

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

Resolution to approve the lease by the Governor-in-Executive Committee of a parcel of land in the Port Area, Bridgetown, containing by admeasurement 38,295 square feet, to the Barbados Fancy Molasses Company, Limited.

Also, a Resolution seeking the approval of guarantees by the Governor-in-Executive Committee of payments of principal of \$300,000 and interest on borrowing by the Caribbean Broadcasting Corporation.

Hon. W. A. CRAWFORD: Mr. Speaker, I should like to give notice of my intention to ask for leave to deal with the Resolution of which the Hon. Minister of Communications has just given notice for \$300,000 in respect of the Caribbean Broadcasting Corporation in all its stages today. Copies will be circulated to hon. members in a very short time, and we are hoping to get the consent of the Legislature to deal with this Resolution at some time during the day's proceedings.

I also beg to give notice of the fact that Oral Reply to Parliamentary Question No. 135 asked by the hon. senior member for St. Andrew on 30th July is now ready. That is on behalf of the Hon. Minister of Agriculture.

THE WORKMEN'S COMPENSATION ACT, 1963

Mr. SPEAKER: Order No. 1 stands in the name of the Hon. Leader of the House: to move the second reading of a Bill to consolidate and amend the Acts providing for the payment of compensation to workmen in respect of injuries suffered in the course of their employment.

Hon. W. A. CRAWFORD: Mr. Speaker, the Bill before us is regarded by the Government as a bit of legislation of of major importance to the country. What we are doing, Sir, apart from instituting considerable amendments to the existing Workmen's Compensation Act, is to present all the existing Acts in one embracing piece of legislation. In approaching the question of amending existing Workmen's Compensation legislation, the Government's policy has been that human life is not a cheap commodity.
12.35 p.m.

We have done everything, in so far as we possibly could, to ensure that the responsibility of the employer to the employee is, as far as circumstances will permit, being adequately taken care of. If you were to look at the Objects and Reasons of the Bill, you will find set out very carefully the major provisions of this Bill. Among those, are two important provisions which I should like to cite. The first is that Domestic Servants and Fishermen are going to be, for the first time in the history of the Island, included under the Workmen's Compensation Act. That is a very far-reaching step. Hitherto, neither of these two categories of employees was specifically included in the existing legislation; but the Government was convinced that they both should be included when domestic servants are so susceptible to possible injury during the course of their employment, and that provisions should be made to protect the life and limb of those who go down to the sea in ships and pursue their calling as fishermen.

In so far as domestic servants are concerned, as hon. members are aware, their duties have to some extent become more hazardous in consequence of the widespread utilisation of gas equipment for cooking purposes throughout the Island. There are quite a few instances on record in which domestic servants have suffered — it is true, not dangerously — some sort of injuries at some time in consequence of the fact that these gas stoves are being used in greater numbers by employers in different parts of the country. I said that the inclusion of domestic servants and fishermen was regarded by the Government as a major step in Workmen's Compensation provisions; and another important step is the considerable increase in the amount of compensation to which an injured worker or his dependants shall be eligible under the provisions of this Bill.

Sir, you will see under Section 7, 1 (a), that where a workman leaves a dependant or dependants wholly dependent upon his earnings in consequence of death from injury, a sum equal to 182 weeks' wages or \$10,000, whichever is less, should be the amount of compensation; and where permanent total disablement results from an injury in the case of an adult, compensation should be paid in a sum equal to 262 weeks' wages or \$12,000, whichever is less.

Sir, when we go into Committee, I propose to draw further comparison between the amounts now paid, and those in the Bill before us; but I am touching at the moment on what we regard as the important highlights on the Bill. You will find that we have extended the earnings of non-manual employees to entitle them to compensation under this Bill. A person, normally a non-manual worker, working for more than \$1,200 a year is not now eligible for compensation under the existing Act. We have increased the ceiling to \$4,800 so that a clerical worker or any non-manual worker who is now working for \$4,800 a year or \$400 a month would be entitled to compensation under the provisions of the Bill before the House.

Now, Sir, the most important provision is the extension in the scope of the definition of "dependants". The traditional pattern of this country, as hon. members are aware, is for a number of workers to live in many cases, in reasonably happy circumstances, in homes with what is known as a "common law wife". Hitherto, the difficulty where the worker was injured or died as a result of the work, leaving a common law wife and children who were entirely dependent on his earnings was that it was not legally possible for them to claim compensation under the existing legislation. But under the Bill before us, Clause 2, subsection (1), the definition of the expression "dependants" has been so enlarged as to include any person who was wholly or in part dependent on the earnings of the workman at the time of his death. So long as these people were dependent entirely on his earnings, they qualify legally as his dependants and are entitled to compensation under the provisions of this Bill.

There are, of course, a number of other important amendments, as for instance, in Clause 3, subsection (2) where an accident arising in the course of a workman's employment should in the absence of evidence to the contrary be deemed to have arisen from that employment. Provision is also made for accidents happening while meeting emergencies. That is brought under the scope of this Bill in Clause 4. In Clause 5, provision is made whereby if an accident happens while a workman is travelling in his employer's transport and he suffers injury he is entitled to compensation. In Clause 6, provision is made with respect to accidents which result in death or total permanent disablement to pay compensation despite a workman's wilful disobedience of orders as to his safety, or his wilful removal or disregard of any safety guards or other devices so long as the act was done for the purpose of and in connection with his employer's trade or business. 12.45 p.m.

This is a very far-reaching step, Sir, Hon. members who have paid any attention to the matter of Workmen's Compensation and to the number of cases arising from time to time, not only here but outside of Barbados, in which workmen have had to engage in protracted litigation, sometimes highly unsuccessful, in order to derive compensation benefits for injuries suffered under the conditions to which I have just referred, will appreciate the importance of this provision in this Bill.

As you will see further, Sir, in Clause 9 provision has been made that where it is impracticable at the time of an accident to make an effective calculation of a workman's weekly wages, the amount of such wages may be fixed having regard to the average weekly amount which during the twelve months preceding the accident, was being earned by a person of similar earning capacity in the said grade, employed at the same work, by the same employer; or, if there is no person so employed, by a person of similar earning capacity in the same grade employed in the same class of employment. In other words, we have set up machinery for establishing the earnings of a worker in cases where it was not easy to arrive at the total earnings or where there was some difficulty involved in arriving at the total annual earnings of a worker during the course of his employment. This will be done, as Section 9 provides, having regard to the amount earned by similar workers employed by the same employer during the twelve months preceding the accident. Then there is the proviso that if the amount of weekly wages arrived at under Sub-section (1) is more than \$55, such weekly wages shall be assumed to be

\$55. The ceiling of \$21.00 should be replaced by \$55.00 as the maximum in calculating wages.

Mr. Speaker, these are some of the outstanding provisions of the Bill which is before the House, but there are one or two other points which I know will be raised by hon. members and to which I should like to make passing reference. I know that the hon. senior member for St. Peter will query the Government's decision not to embark at this period on the introduction in this Island of the Ontario system of Workmen's Compensation. As hon. members are aware, and as the hon. senior member for St. Peter has reminded the House from time to time, I myself have been a very strong proponent of this system of compensation ever since 1937 when the Lord Moyne Commission recommended very strongly that the present system should be replaced by the Ontario system. There may be several reasons for that. Under that system, you avoid the protracted litigation as you have now under the Workmen's Compensation Act, because the original Act of 1897 of Great Britain on which our legislation was modelled, was supposed to have been very simple. As a matter of fact, the draftsman said that it was so simple that even a little child could understand it; but in actual operation there was not a single piece of legislation in Great Britain which was discovered to be so complicated. In fact, as Your Honour is aware, it is the only piece of legislation out of which arose an entirely new set of Law Reports; so that, bearing in mind the happy paradise for lawyers which the existing Workmen's Compensation Act provides, and the dishonesty and the frauds which are very frequently practised by insurance companies under the Act, there certainly is a case for the introduction of a method like the Ontario system in which the compensation is administered by a Board. There is therefore no necessity for lawyers, with all due deference to Your Honour, and the compensation paid in almost all cases is considerably higher.

The Government's approach to this matter is conditioned by the fact that we are also considering the immediate introduction of a General Social Security Scheme under which provision for this Workmen's Compensation in like manner as in Great Britain today under the National Insurance Act, would be made. It, therefore, does not appear to be either practicable or advisable to introduce the machinery for Workmen's Compensation for a limited period of a year or two and then abandon it completely on the introduction of a General Social Security Scheme which would include provision for Workmen's Compensation on an entirely different basis. In the National Insurance Act of Great Britain there is a contributory Scheme in relation to industrial injuries, and employers and workers along with the State contribute to the financing of the fund out of which compensation is paid. The two systems are so divergent that it was, in our opinion, completely impracticable to have to change the existing system and to introduce the Ontario system.

Normally, I would say this: if it had not been the Government's intention in the immediate future to embark upon a General Scheme of Social Security for this island, I myself would have been the first person to resist any attempt further to prolong the existing type of legislation. However, Sir, in the context of the Government's decision in this matter, it would appear to be completely a waste of time to consider undertaking the far-reaching innovations which would be consequential upon the introduction of the Ontario system. 12.55 p.m.

The same argument applies to another matter which I know is very dear to the hon. senior member for St. Peter. The Government is fully aware that the proposals contained in this Bill are going to create increased hardships for employers by way of insurance payments including domestic servants, to say nothing of fishermen, and the considerable increase in the amount of compensation payable naturally must result, as a normal matter of course, in increased insurance premiums. Apart from this is the fact that the insurance companies now operating in the colony are going to be reaping a harvest from the new premiums which these new benefits will involve, and I need not remind hon. members that all the insurance companies operating here are

mainly foreign owned companies, and that the profits — which must be substantial from the insurance collected under this legislation — will all find themselves outside the country. I therefore share, and every single member of the Government shares, the apprehension of the hon. senior member for St. Peter and others who think like him over this major increase in the premiums which will be payable, and the consequential profits insurance companies will make; and we, like him, would do anything that lies in our power to keep these profits in the Island. The solution to the problem, as he himself has often said, is for the Government itself to undertake the insurance necessary under the Act, but there again as in the case of payments under the existing system and the Ontario system, the Government's approach to the matter has been influenced by its decision to introduce a general Social Security Scheme.

It would appear expensive, impracticable and ill-advised, Mr. Speaker, for the Government at this stage to have considered embarking upon setting up the machinery for undertaking the insurance which is necessary under the Act for the limited period which we are resolved must exist between the coming into operation of this Act and the introduction of the general Social Security Scheme. In other words, Sir, we are of the opinion that there is need for immediate improvement in compensatory benefits for workmen — or rather we are convinced that there is urgent need for improvement in the compensatory benefits for workmen in the course of their employment, and this need is so urgent that, although we appreciate from every possible point of view, the arguments to be used in favour either of introducing the new system or undertaking the insurance ourselves, in our considered opinion the urgency for providing these new benefits is so imperative that we are resolved to amend the existing legislation, provide these new benefits, but let the existing system both with regard to obtaining compensation and insurance remain in effect for the time being.

I am fully aware, Sir, that there is bound to be a lot of argument and possible opposition on this question of what is going to happen with the insurance, but at the moment our policy has been conditioned by the decisions I have referred to; but I do not want hon. members to think that we have ignored the consequences that will ensue. As a matter of fact, early last year, Sir, my Ministry attempted to get some information with regard to the economics of insurance companies operating here, and some statistical information with reference to the possibility of ourselves undertaking the insurance. We tried to get information with regard to the total premiums now paid out under the old Act, of the likely increase in premiums in consequence of the benefits under the new Act, and the total premiums which it is estimated shall be collected as a result of including fishermen and domestic servants in the provision of the new Act; but our excursions in these fields have not been very successful up to now. It does not necessarily mean that we have discontinued our efforts, nor does it mean that we are still no longer under the same concepts as we have been with regard to the advisability of these things. I do say, however, that hon. members who look at the Bill before the House and realise the far-reaching improvements which shall be available to workers immediately this Act becomes law, will appreciate our decision no longer to detain them from them.

Under the heading, Labour, in our Manifesto presented to the country at the last election, the Government pledged itself to make provision to bring all persons living in the house of a workman and totally or partially dependent upon his earnings within the class of dependents entitled to receive benefits, to increase the benefits from \$2,520 to \$10,000, and to include domestic servants within the protection of the Bill.

The Bill before the House, Sir, seeks therefore to implement those pledges made on the occasion of the general election, and also to provide for even more additional benefits which, after going into the question, the Government decided were essential if the life of the worker were to be regarded in the manner in which it should be — not like a piece of old machinery to be thrown away when in-

jured or superannuated, but as a matter of precious concern both to the individual himself and to the family for whom he was the bread-winner.
1.05 p.m.

I do not think that it is necessary at this stage to say anything more about the provisions of this Bill, except to add that we have at various stages referred the matter both to representatives of the employers and of the workers. I have already expressed the points of difference between the employers and the Union representing the workers and in principle we are supporting the Union's contention that Government should insure the workers. But I hope the reason which I have given for not doing so in this Bill has satisfied hon. members; that is, in view of our decision to embark upon this wider scheme of security in the near future whereby this time next year considerable legislation approximating the United Kingdom National Insurance Act, if even in some cases with limited provisions, would be enacted on the floor of this House so that if the insurance companies feel that they have a big harvest to reap, let us assure ourselves of the fact that it would be for a very short duration and there is no reason why even if these premiums have to be paid, the Government should not endeavour to see that undue advantage is not taken of the situation by the insurance companies operating here, and that the insurance of workers does not create any undue hardships on the part of the employees. We also state that as a result of the fact that the employer has a certain responsibility to his employees, he should take the necessary steps to insure the worker because in the case of an accident he would find himself in considerable trouble if he has not insured that worker, legally he is responsible for the payment of compensation according to the injuries received on the basis of the provisions in the Act. That is all.

We also ask housekeepers who for the first time would have to pay a small premium for their help, to realise that today domestic servants are going into a modern kitchen and they face some of the hazards faced by workmen in some factories. Fishermen also, when they go out to sea in ships owned by somebody else take their lives into their hands; therefore, the Government feels justified in making provisions for these two category of workers in this Bill.

In our conception, the Bill is so straightforward that there is no need for consideration of it in Select Committee. We, ourselves, have devoted a lot of time to the matter and have gone through every single clause in detail. We have also consulted with the employers and the representatives of the workers and we hope that the Bill as it now stands will commend itself to hon. members.

I beg to move that the Bill be now read a second time.

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

Mr. MOTTLEY: Mr. Speaker, it is rather difficult for an Opposition member to commend the Hon. Leader of the House for the concise and calm manner in which he has delivered his speech; but I do this now with all sincerity to the Hon. Leader of the House for the manner in which he has presented this Bill. It was only in his last remarks that we differ somewhat, and I would let him know here and now that we must differ because he said, before hearing the other side, that because they have done something, because they have asked other people to give their opinions, that there was no necessity for this Bill being sent to a Select Committee.

Hon. W. A. CRAWFORD: Mr. Speaker, I rise on a point of order. What I said was that we have consulted the authorised representatives of the employers and employees; so having done that, we had consultation with both sides of the community.

Mr. SPEAKER: That comes under a point of explanation which conforms to Standing Order No. 26.

Mr. MOTTLEY: I thank the Hon. Minister very much; but that has nothing to do with hon. members who have been elected to this Honourable Chamber. We are members of

this Honourable House and we are entitled to express our views and say how we feel about this Bill. I said at the beginning that it is difficult for a member of the Opposition to commend the Leader of the House for the calm and precise manner in which he introduced the Bill. As the Hon. Leader of the House said, this Bill has been extended to certain other persons — fishermen and domestic servants — and it is also extended, in a way, to non-manual workers who work for more than \$1,200 a year.

Mr. Speaker, I think that in my 25 years of service to the public, no one has felt the impact of persons who have suffered as a result of not having legislation such as this as myself. Because I happen to work in Local Government Councils, I come into contact with very many persons who have suffered because of the lack of legislation of this sort.

Mr. Speaker, I am going to be very brief. This Bill has over 70 pages, and the Leader of the House has suggested that because the representatives of employers and of the workers have been consulted, there is no need for sending it to Select Committee. If the Hon. Leader of the House will remember exactly what he said, that would be one of the reasons why this Bill should be sent to Select Committee. He said that even if an employee happens to be working on a job, and he went off and did something which he was told not to do, though that particular thing was dangerous to his life, in accordance with this law, he is entitled to compensation if he died as a result. Taken out of the context, that would be just like a man committing suicide. Let us say that you are dealing with electricity, and you know that if you touch a particular wire you are going to be killed. But because of this you do not take any precaution; you hold on to it and get killed.

1.15 p.m.

For that reason, you might very well say now that you are taking fishermen, and no one in this country would disagree that fishermen should come under this Bill, because no family suffers greater than the family of fishermen. If it should happen that one year should pass without any fatalities, the next year might not pass without five or six bread winners going the way of all flesh. Is the hon. member saying that because a man is told — or, for instance, you have a warning: "Don't go out to sea", and you go out and jump overboard that is committing suicide; is that so? Or on the other hand, if you are working with a company or in a house as a domestic servant and you are told that you should not use this high tension wire for ironing, is the hon. member saying that even there you are not entitled to compensation? I am saying that, in these circumstances, we of this Party are one hundred percent behind this Bill when it comes to the matter of fishermen and domestic servants. I will let the hon. member know now, and I can publish it in the streets of Gath, that we on this side are in favour of the Government taking over this type of insurance, despite what our friends in the Insurance Companies might say, and this should be done very quickly too.

We cannot see that this type of insurance, which is for the protection of such a great bulk of people, should be undertaken by companies who are allowing so much money to go out of the Island. We got down to pen and paper as to the difference between the poor man and the number of persons there are in the £500 bracket and the other boys who try to work who are not fishermen, and the non-workers who, day after day, become fishermen. We feel, and we agree with the Government that this is a matter of patriotism; this is a matter of putting Barbadians before Englishmen in saying to what extent premiums should go out of this country. The hon. member has presented in a very concise way the consolidation of this Workmen's Compensation Act. I feel that when breadwinners get involved in an accident here, there is too small a pittance which is provided for the seven or eight children in each case who are left behind. Mr. Speaker, I have had the impact of it; how must people feel when these children must suffer? If there is one thing by means of which you are going to win the hearts of the people of this country, if they really understand what we are doing, it is by the passing of this Bill.

Mr. Speaker, this is a Bill which should be passed into legislation. I may say that this is not a question of Party;

this is a Bill which is absolutely necessary. Imagine seeing a man having been struck down on his job and then he is told that he will be paid \$1,800 when he has six or seven children! The hon. member is also aware that there are other cases in which, for instance, a child, although it is not working, may happen to go to its mother who is a domestic servant and something may happen to that child. Mr. Speaker, I am just giving my reasons why this Bill should be referred to a Select Committee and Your Honour will tell the House if I am right or not. You will never know what that child might be; it might be the only breadwinner of its mother who is a domestic servant.

Mr. Speaker, I will not tire the House on this matter any longer. I commend the hon. member on having presented this Bill. I do not want to blow my own trumpet but the Hon. Minister of Communications and Works has been giving me every possible assistance in this matter of the men who were burnt in the Careenage. Wherever you turn, you hear that there is nothing that can be done in this matter. This man has left seven children. He was working for his daily bread; he was not a rogue or idler, but this accident took place with him. Whether you be the nobleman of the castle or the proprietor of the small hovel or the middle-class man, I am saying that a life is a life, and life is sweet. Therefore, when one comes to his end by an accident of some sort which has to do with his calling, proper compensation should be given to, and proper provision should be made for, those who have been left behind.

Mr. Speaker, I am therefore counselling the hon. member to allow this Bill to go to a Select Committee. We agree that this Bill should go to a Select Committee as an hon. member has said. You have a Bill of this magnitude and I think it should be dealt with in this way. The hon. member knows that I would not think that this Bill should be sent to a Select Committee just for the purpose of having it there. I am prepared to do my work whenever I am called upon to do so. I feel that this Bill should be sent to Select Committee so that we may be able to go into all the details of it. The hon. member knows well enough that there are domestic servants and domestic servants. The Hon. Leader of the House has a domestic servant and so has the hon. member on my left; but so has a policeman who is a Private and so has a clerk who is earning \$70 a month. They all have domestics and the like; therefore we must go into all the phases of this matter. I may hear the argument that if you cannot afford it, well then you should not have a domestic servant. All that is well and good. However, as I say, I feel that a Bill of this sort should be sent to Select Committee so that we can go into all the details.

1.25 p.m.

I am not saying for a minute that you should not have insurance on domestic servants; I am 100% for it; but we should go into this matter because there are employers and employers. I have had the experience, Mr. Speaker, and I have no doubt that hon. members have had the experience from filling out forms for people that people leaving school tell you one or two things. They may tell you "I am a teacher," "I am a nurse" or "I am a clerkess", which is a coined Barbadian word, or whatever else may be their calling. If they are not agricultural labourers which some people seem to think is derogatory, they say they are domestic servants, and if you go and look at the baptism register, you will see — and the Hon. Minister of Social Services would know because he must see several thousands of them — that several people are domestics. Some of them may have worked for as little as three months and not since, but probably got married and had children and became housewives, not in the legal sense, but nevertheless they mark themselves as domestics.

Next to agriculturists in this country, the biggest number of workers in this country are domestic servants, and I think the Trade Union leader will agree with that. Nothing I am saying should give any indication to the Leader of the House that we on this side are opposed to the passing of this Bill. I have gone through the Bill very clearly, and I agree with a Bill of this nature, and though we do not call it hasty because we have had it for some weeks, I always felt that the Government would have allowed this to go to Select Committee and have its usual course in coming before this House.

When this Bill in due course has passed the second reading, I am going to move that it be sent to Select Committee. I feel it is a Bill which is absolutely necessary and should have been on the Statute Book a long time ago, because as I have said, I have come in contact with people who have suffered as a result of not having legislation of this sort.

Mr. WALCOTT: Mr. Speaker, I am sorry the hon. member was so anxious to speak, because if I were dealing with this Bill, from listening to the remarks of the hon. member, I would not have sent it to Select Committee, because he has not given any reasons why it should be sent. This Bill should not be sent to Select Committee because there are 10,000 or 25,000 domestic servants or because you are going to have fishermen for the first time. You should state your reasons. I would say it is a technical Bill, because it is a Bill that not only deals with the sentimental and emotional side, but with the law of Workmen's Compensation, its origins and things that are modern today. I would say that in some respects the Hon. Leader of the Opposition replied in a similar vein to the Hon. Leader of the House because a fundamental question the hon. member said he is going to treat *en passant*. If he is going to treat the question of Government or private insurance *en passant*, I would say that he is not aware of the fundamentals in Workmen's Compensation. I should also like to correct the pronoun he used when he said "We have consulted employers and workers", and I want to say categorically that this Government has not — and I repeat "has not" — since it entered office consulted the Trade Union on this Bill, and I am going to show the record.

I will begin by saying that a very unkind and uncharitable remark was made about the Trade Union in relation to this by the Hon. Premier on a platform to the extent that the Union was obstructionist in its attitude to Workmen's Compensation. I propose today to deal with this matter very thoroughly — I would not say exhaustively — to give members of this Chamber the full background of this situation.

Hon. W. A. CRAWFORD: Mr. Speaker, on a point of order, the hon. member has said that the Government has not consulted with the Union in this matter. Technically speaking, he may be correct; but the fact remains that the Government had before it the considered views of the Union on proposed amendments to the existing legislation. The Government had no reason to feel that the Union had changed its views fundamentally, and since these views were on record in the Ministry, the Government felt justified in drawing on them. So far as the additional amendments to the Bill that have been made by the Government over and above those on which the views of the Union had not been originally consulted are concerned.....

Mr. WALCOTT: I am sorry, Mr. Speaker, but I made a statement in reply to the speech which the hon. member made to the effect that "we had consulted employers", and I said categorically this Government has not consulted the Trade Union about this legislation. Consultation means meeting persons and having discussions, not looking at files. You do not have consultation with the Colonial Office based on the Secretary of State reading a paper you had written in 1898. Furthermore, the hon. member is permitted to go on to reply to what I was saying. I did not stop the hon. member, but why should he be permitted to say what he has done?

Hon. W. A. CRAWFORD: I rose on a point of order to say that while technically speaking the hon. member may be correct, the fact remains that we had their considered views on register in the Ministry on which we could draw; and in so far as the amendments to the Act over and above those on which the views of the Union had been sought are concerned, the Government Party had made it clear in its Manifesto and throughout the campaign that these were the things it intended to do and they had a mandate to do them.

Mr. WALCOTT: Mr. Speaker, I do not know if English is becoming a difficult language for communication in this House. Some time ago when we were discussing something

that was written in the present tense, the members of the Government wanted to make some new interpretation of what the present tense means. Now we have a new interpretation of what consultation means and in the context that they have consulted employers and employees in this matter, I say categorically that no consultation had been made with the Union. If I knew or heard or understood what a Government is going to do, you could not call that consultation with the Organisation I have the honour to represent, because many things I hear the Government is going to do they will not do. What does the hon. member mean by "technically correct"? It means nothing because it is just like telling me I am right. I really cannot understand these peculiar expressions and epithets.

1.35 p.m.

Mr. Speaker, I would like to take a look back at the origin of this Bill, and remind the Hon. Leader of the House that I am very pleased indeed to say that I did some research on this matter. I remember on one occasion the Hon. Leader of the House accused me of not doing my home work, though I think he did not mean me.

In a newspaper published in 1940 I have seen that the Hon. Leader of the House made a speech to the Electorate of St. Philip, on this matter of Workmen's Compensation and, peculiarly enough, that was before he was elected. One of his planks was that he would like to have a Workmen's Compensation Scheme for Barbados like the Ontario system. That was 23 years ago. I do not think anybody can accuse me 23 years after for repeating that and accusing anybody for being in a hurry. The hon. member had thought correctly about that matter at that time because it was not published then: but it was subsequently published in the Royal Commission Report. If you were to look at page 211 of the Royal Commission Report, you will see that it is stated:-

"We are impressed by the need for a simple system of recovery of compensation under which litigation would be reduced to a minimum in the West Indies. Insurance should be compulsory and it is necessary to provide for the case of those employers in several of the Colonies who may find it difficult to cover these liabilities through Insurance Companies. We are of opinion that these three requirements would be satisfied by a State scheme based upon the principles of the one which has operated in the Province of Ontario since 1915 and became a model for systems in other Canadian Provinces. That scheme is compulsory and covers manual and non-manual workers in public and private undertakings and in a wide range of industries, including mining, lumbering, manufacture and construction, and both rail and water transport."

Do you really believe, with the past experience of the Canadian Government and the close proximity of Canada to Barbados, with the Commission having written that in 1938 — which is 25 years ago that that was published, with the hon. Leader of the House, having been a member of two Governments, with the Workmen's Compensation Act having been on the Statute Book from 1943, that any Government or Minister should say that there is no opportunity for the Government to know what is available under Workmen's Compensation to bring this scheme within the proper ambit under which it should come in 1963?

My criticism is not a criticism against this Government or against the past Government; my criticism is against the Governments which administered this Island over the past seven years.

Mr. Speaker, this is Message No. 8/1956 which came from His Excellency the Governor at that time to the Honourable the House of Assembly on the 22nd September, 1956. It reads as follows:-

"HIS EXCELLENCY THE GOVERNOR
TO
THE HONOURABLE THE HOUSE OF ASSEMBLY
LEGISLATIVE COUNCIL"

"His Excellency the Governor has the honour to invite the attention of the Honourable the House of Assembly/

Legislative Council to the Report to the Government of Barbados on Proposals for a Labour Code prepared by Mr. C. O. J. Matthews of the International Labour Organisation, and to inform the Honourable the House of Assembly/Legislative Council that it is not proposed to attempt the immediate enactment of a consolidated Labour Code, as this would entail unnecessary delay to matters which could be dealt with separately."

"2. For the present it is proposed to retain the system of separate Acts and to effect limited consolidation where this is possible without delay. The recommendations of Mr. Matthews will be considered in the context of the Act or Acts to be amended or consolidated."

"3. In addition to the Factories Act, which is at present receiving the attention of the Honourable the House of Assembly, and to which Mr. Matthews has not suggested any amendment, it is proposed to give priority to enactments relating to Workmen's Compensation, Industrial Relations and the law relating to Trade Unions, including legislation dealing with industrial disputes in essential services."

"R. D. H. ARUNDELL
Governor."

This was sent to the House by the Government which was in power in 1956. Fortunately, that Government went out in 1961, five years after, which was supposed to give priority to enactments relating to Workmen's Compensation. That is why, when I hear some of the scamps on the outside shouting, I am reminded that when the time comes for some of us to talk, we do not talk. It took the last Government five years and now it has taken this Government two years before they could bring down anything.

I am accused of obstructing. Who is obstructing? On the 22nd September, 1956, this Message came down from His Excellency the Governor to the Legislature. Today is the 12th November, 1963, and we are now debating the Second Reading of a Bill to amend the Workmen's Compensation Act of 1943. If priority legislation is going to take seven years before it can be introduced, what is going to happen to legislation which is not of a priority nature? I dare suppose that our great grandchildren will be dealing with that.

Mr. Speaker, I propose in this debate to show the difficulty which I have had, along with my organisation, in bringing commonsense to bear on many sources in this Island on this matter. I would like the Hon. Leader of the House to know that I am not accepting any good reason for not doing this before, and I am going to show this Committee what are the facts in relation to Workmen's Compensation; if the Government could not bring down these amendments before, it is a question of total incompetence on the part of the Government and the Administration in introducing a scheme of this nature.

On the 29th August, 1957, we, of the Union, wrote a letter to the Government and in that letter, we stated:-

"The Union also feels that the method of insurance should be changed to meet changing circumstances and is of the considered opinion that the Government should be prepared to examine the question of insurance methods under this Act. Plenty of money is leaving this Island, which could be harnessed by other methods and at the same time provide better benefits to the workers concerned.

"For these and general reasons the Union suggests that this matter should be dealt with by a Committee."

Six years ago we set out why it should be so. If the hon. member is correct in his assessment, he should go through the files and he would see that the Barbados Workers' Union has been repeatedly drawing to the Government's attention, whichever was the Government, that this matter of Workmen's Compensation should be dealt with. Some of the things which this Government put in this Bill are new. The Union stated on the 11th December, 1957:-

"With reference to your letter, dated 19th November, 1957, the Union is of the considered opinion that, apart from the specific proposals mentioned below, the Workmen's Compensation Act can only be amended effectively if all of the parties concerned are given an opportunity to discuss this matter jointly. This Act is very wide in scope and could not be expected to be amended intelligently if one side is meeting the Minister. For these reasons the Union is submitting that a joint meeting is the best means to deal with this complex matter."
1.45 p.m.

The Union was not talking for one side to meet anybody; the Union does not agree with the Government's decision that Workmen's Compensation insurance cannot be administered by the Government. The Government was saying that this insurance could not be administered by the Government six years ago, but nobody has made any attempt to send to Canada or to bring anybody from Canada to see how the system works. They say that Barbados is a poor community: but we can afford to allow thousands of dollars..

Hon. W. A. CRAWFORD: On a point of order, Mr. Speaker, the hon. member has said that nobody has sent anybody to Canada to enquire presumably into the system of Workmen's Compensation in that territory. I merely rise to correct his statement. Last year and this year....

Mr. WALCOTT: I am referring to a statement made in 1957. You cannot allow the hon. member to rise on a point of order and say that he is making a statement.....

Hon. W. A. CRAWFORD: On a point of order, My impression, Sir, is that the hon. member was referring to this present Government. It is not correct to say that since 1957 nobody has sent anybody to Canada to see how Workmen's Compensation is carried out there. That is not so, because the Hon. Premier and Mr. C. B. Williams interviewed the Ontario Workmen's Compensation officials themselves in Ontario and we have a considerable amount of documentation on the matter from them.

Mr. WALCOTT: Mr. Speaker, I go on to quote: "Moreover the Union feels that there is the strong possibility that the Government Insurance can either give better benefits to the injured and their families, or reduce premia or both. This aspect of Workmen's Compensation is a fundamental in the whole scheme of the Workmen's Compensation Act."

Mr. Speaker, the hon. member says that the Premier and Mr. Williams went to investigate the Ontario system; I am saying that you cannot investigate the Ontario system on the basis that the Premier was paying a visit to Canada along with Mr. Williams and they went to the office of the people dealing with this matter. I went for two months in the United States of America making a study of this system. You collect information from the time you are there. I want to say that the answer which the hon. member has given today is not an answer that you did not have enough opportunity to carry out this insurance. With the hon. member's parliamentary experience he seems to be associating this system with something that you do not know anything about. You are waiting until the day you implement a scheme dealing with social security and coupling it with the United Kingdom Insurance Act, which is completely different from anything you are proposing.

Hon. W. A. CRAWFORD: On a point of order. Let us begin by conceding that nobody knows anything about this matter but the hon. member.

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

Hon. W. A. CRAWFORD: The Government's attitude in this matter arises out of a specific recommendation in the Stockman Report for the introduction of a General Social Security Scheme in Barbados. Mr. Stockman himself said this; in fact, he recommended that the present Workmen's Compensation arrangement should be replaced by an employment injury benefit scheme as part of the social insurance programme to which he referred. I repeat that any injuries arising out of the course of a person's employment are included in the National Insurance Scheme.

Mr. WALCOTT: I cannot tell Your Honour how to rule; I am accustomed to the Barbadian vulgarism. If I feel that I know more than anybody else knows, then no amount of immodesty will prevent me from saying that, because I am not moulded in that mould so that I cannot say what I feel in matters about which I know. I have no apology to make for the ignorance of anybody else. If you were to read from from Mr. Stockman, this is what he said.

He said this:

"Finally, the Government was urged to 'examine the practicability of operating its own system for insuring the liabilities of employers to compensate injured work people'". It seems likely that this would result in economies. If the Government should decide to do this, consideration should be given to the adoption of a flat rate of contribution by employers to a workmen's compensation fund, in place of the present rates which vary according to the risks of different occupations, now paid by the employers to the insurance companies. This may at first seem a novel suggestion, but the method of a flat rate, irrespective of the risks of different industries, is the one now adopted in the United Kingdom for the Government scheme of industrial injuries insurance."

The hon. member did not read that. When people say that they are reading documents which they have not studied, let me read what Mr. Stockman said. Mr. Stockman recommended to the last Government what I am saying. If Mr. Stockman wrote this for all of these years, now you are going back to what he says. Whenever you have them pinned down to anything, they look for a Report in order to hide their heads. When was Mr. Stockman's Report printed? I will give you the date; from the end of October, 1961, to the end of March, 1962. This Report has been knocking about for over a year.

Mr. Speaker, I am on a working Committee to study the Stockman Report. What is the Government's policy on that Report? Do not let us read the Stockman Report as if that is some answer to the matter. All he has recommended on page 11 is that you should have a Government scheme. Are you going to blame me and say that I know too much because I try to save this country some money? Mr. Speaker, I do not think we had to wait until Mr. Stockman came here. We did not have to wait until Mr. Stockman came here to tell us that we could calculate for ourselves and know the amount of money which is going out of this island; it is only an amount of 12% which is paid out of the total amount of money which is going out.
1.55 p.m.

You do not need somebody to come and tell you, if you are paying out 12% of the total amount of money you are collecting, how much you are making. You do not need somebody to tell you how to run a beneficiary scheme. Anybody can run that. What you need somebody to do is to get the statistical information to operate this scheme and the administration of it. Six years ago the Government of this country talked about administration. I would say that I am not here to pander to any person; I am here to state the facts as they are, because I am not a person looking for any favours. Nobody can favour me in public life, because I have passed the stage of looking for public favours. I have been in public life too long, and therefore I stand for what I stand for, and not what somebody wants me to stand for. When the hon. member reads Stockman, I will say that I have read it from cover to back, I travel with it every day and I can pick out any part of Stockman that you read.

Hon. W. A. CRAWFORD: On a point of order, Mr. Speaker, I merely want for the information of the House to refer just once again.....

Mr. SPEAKER: That would not be a point of order.

Hon. W. A. CRAWFORD: The hon. member made reference to the fact that he has read Stockman, and it is his daily companion, and he has accused us of quoting one part and not the other.

Mr. WALCOTT: I have not. He is the person that quoted Stockman.

Mr. SPEAKER rose.

Mr. SPEAKER: Are both hon. members seated? Two were standing when I rose. The Hon. Leader of the House has risen on a point of order. I will ask him to confine the point of order in accordance to Standing Order No. 28 (a), bearing in mind that he has the right to reply fully at the end of the debate.

Hon. W. A. CRAWFORD: I merely want to clarify the statement made by the hon. senior member for St. Peter, and the implication that the part of the Stockman Report to which I referred does not convey the full impression of the Stockman Report; and I merely want to say, so far as this matter is concerned, this is what Mr. Stockman said: "The employment injury benefits defined in the Convention concerning minimum standards of Social Security should be adopted as part of the general security insurance scheme."

Mr. SPEAKER: I am afraid the hon. member is going beyond the point of order; but if he would make a note of these various points as they arise, he may refer to them and deal with them very full in the course of his reply.

Mr. WALCOTT: I would have thought, if the hon. member read Stockman, that he would have been the last person to bring it back. I have not got down to Stockman yet, because his Report was in 1962. I am dealing with 1957. What I had hoped is that the hon. member would state the reasons for not doing it — not what Stockman said, because he gave reasons for the opposite.

SUSPENSION OF SITTING

Mr. SPEAKER: It now being 2 o'clock p.m., this Sitting now stands suspended until 2.30 o'clock p.m.

On resumption:

Hon. G. G. FERGUSON: Mr. Speaker, I observe that there is no quorum and ask that you direct the Clerk to ring the Bell.

Mr. SPEAKER: I thank the hon. member for St. Michael, and I direct that the Bell be now rung.

The bell was rung and a quorum was obtained.

Hon. W. A. CRAWFORD: Mr. Speaker, as I notified you this morning, there is one answer to Parliamentary Question No. 135, and I notice that the hon. member is not in his place.

SUSPENSION OF STANDING ORDERS

Hon. W. A. CRAWFORD: Mr. Speaker, I beg to move that Standing Orders Nos. 5, 14, 16 and 18 be suspended in order to continue Government Business.

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

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

DEBATE ON WORKMEN'S COMPENSATION BILL RETURNED

Mr. SPEAKER: When this Sitting was suspended, the hon. senior member for St. Peter was addressing the Chair. I am not sure if he had not completed.

Mr. WALCOTT: No, Sir. Mr. Speaker, I approach this matter in a little different light from some other members. I thought that a matter like this would not have lent itself to any acrimony, because these are fundamental questions, and I would not have expected that the Hon. Leader of the House who introduced this Bill, with the pronouncements he had made about it, would have found any objection to the Statements made by me, because these are fundamen-

tals. What I would say is that if the hon. member were in my place, I am sure — with the recorded speeches of the hon. member on Workman's Compensation ten or fifteen years ago, and what they would have been today — of what he would have said if he had to face a Government that said it did not have enough time to review this matter. I have heard the Opposition on many occasions slating Government on the excuse that it did not have enough time to do something that was mooted as long ago as this, and I do not think.....

Hon. W. A. CRAWFORD: I have never said we did not have enough time. All I said was that by the time we could have set up the machinery to implement this proposal, it would be unnecessary to have the machinery because it would have been replaced by an entirely different scheme.

Mr. SPEAKER: I disagree that that is a point of order, but I have no hesitation in characterising it as a point which is permitted by Standing Order No. 26 (16) which reads as follows:-

"A member who has spoken to a question may again be heard to offer explanation of some material part of the speech which has been misunderstood; but he shall not introduce new matter."

Mr. WALCOTT: Mr. Speaker, I should like to deal thoroughly with some of the objections, because there is no objection to the Bill in its entirety. There will be no general objection by me or any progressive persons to these things. What I would like to draw to the House's attention is that in dealing with 1957, there was a proposal submitted that a person should live with another for three years to be a dependent, but my organisation objected to three years and that has been taken out. We said that all Government people should be protected, and it was the Union that suggested there should be provision for domestic servants, because they were excluded. We suggested that there should be no limit on salaries for non-manual people, and at a meeting which we held with the then Minister we submitted that if there was going to be a limit, it should be \$4,800. We do not agree even with the present limitations. We said there should be a flat rate for death and not an escalator rate, but subsequently we submitted that the beneficiaries of a person who dies should get \$5,000 and not an amount based on 182 weeks. What we submitted in 1957 was 75% of weekly earnings for temporary and partial disablement; so we are not out of tune though that was six years ago. We did not agree then with the Government on medical expenses and we do not agree now; but when I get to those clauses I will deal with them accordingly. There was no schedule on occupational diseases and we suggested that there should be one.

Now, Mr. Speaker, a meeting was held with the then Minister in 1958, and we clarified the definition of members' families, dependents, domestic servants and non-manual workers; and what I think it would be more correct for the Minister to say is that from the submissions we have made to the Ministry, they had consulted them. Why I was at pains to point out that was because the Minister said he had consulted these people, giving the impression that our organisation had been consulted. It was not fair to us because it was stated publicly that we were consulted and that we were obstructionists in this matter.

2.45 p.m.

I should like, Mr. Speaker, to point out that the last communication which we had with the Government on this matter before this Government came into power was in 1961. This was on the 10th July, 1961 and we stated to the then Government this:

"I must draw to your attention the notes of a meeting held at Government Headquarters on the 24th September, 1958, under the Chairmanship of the Honourable Minister of Trade, Industry and Labour, and a covering letter from you, dated 2nd October, 1958, setting out the items agreed upon which have now been changed in the amended proposals.

"It was agreed that the definition for Dependants should include Dependants even if they did not live in the household of the injured workman.

"It was also agreed that the amount of compensation in cases of temporary disablement should be 75% of the actual earnings.

"The Union agrees to the new calculation for death benefits of one hundred and eighty-two weeks, but insists that a minimum must be stated.

"The exclusion of persons working in recreational or paid-through Clubs should be modified. For example, the Barbados Turf Club is more than a Recreational Club and some of the workers employed by this Club should be protected by the Act. The Act should give protection to all workers."

We asked the Leader for an explanation why such persons should be excluded — let us say, a man who is working at the Turf Club and he is kicked by a horse. I cannot regard that man as a person who should not be protected. Those are things to which we have given thought. We also said:

"The limit of \$2,500 is not enough for non-manual workers. This amount should bear relationship to reality. Non-manual workers are employed in the Port and in Sugar Factories, and should be protected by the Act without limitation. If there is a limit it should be fixed at \$4,800."

We said that if there was to be a limit, it should be \$4,800. Then we went on to say that "Workmen's Compensation Insurance should be controlled by the State, and payment into the fund made compulsory. This becomes more urgent and necessary in view of the fact of the proposal to include the domestic servants, which the Union supports. It is pointless and meaningless to continue the Workmen's Compensation Insurance under the present system, and demands urgent attention being given to this outstanding matter.

"All of the medical expenses incurred in an accident should be paid for without limitation."

This was on the 10th July, 1961, and the hon. member should know about that. Hon. members are also aware that 1961 was the year of a big change. A new Government came into power in December, 1961, and the first letter which the Union received from the Government on this matter, was on the 4th March, 1963. That letter stated:-

"I am directed to refer to previous correspondence relating to the above subject, and to inform you that the Cabinet has decided that the Workmen's Compensation Act, 1943, should be amended to provide the following matters:-"

Where was the consultation? The last letter we received from the last Government was the 10th July, 1961 and the first letter from this Government was on the 4th March, 1963. In this letter, it stated:

"Definitions of "member of family" and "dependants". And it said that the definitions should be modified to make provision for any person, who was wholly or in part dependent on the workmen's earnings, to qualify for benefits.

Then came the definition pertaining to "workmen". It is as follows:

"All domestic servants should be brought within the scope of the Act.

"Any person fishing, or working, for reward in any fishing vessel not owned by him should be covered by the Act.

"The remuneration below which non-manual workers are to be covered by the Act should be increased from \$1,200 to \$4,800.

Then came Employers Liability for Compensation, Method of Payment, and the review of Medical Expenses, and so forth.

That is what caused the furore. We replied on the 26th March and we told them:-

"My Union notes with grave concern the contents of your letter dated 4th March, 1963, on the subject of Workmen's Compensation.

"This Union had hoped that by now any Government in office would have been convinced that issues of as large a national character as the provisions of Workmen's Compensation benefits could best be settled by the fullest possible consultation between the Government and the parties most intimately concerned, namely, workers and employers."

Can we be told today that that was consultation? We say that we were not consulted on this matter, and I take strong exception to your saying that we had consultation because if we had been consulted we would have avoided all of this. We were ignored. We received a reply on the 4th April, saying that they had consulted us.

With regard to the suggestion that new insurance should be carried under the Central Government Control Scheme, the Hon. Minister and the Cabinet were aware that such a suggestion was made previously by the Union. There was an L.L.O. Convention for Barbados that a workman's injury benefit should be adopted as part of the General Social Security Scheme. With regard to the Union's suggestion that compensation insurance should be carried under a Central Government Control Fund, the Minister and the Cabinet were also made aware of the recommendations contained in the L.L.O. Insurance Scheme that employees' injury benefits should be adopted as part of the General Social Security Scheme. This recommendation would involve meeting the case of an Employment or a Social Security Fund in which contribution would be paid by the employers. The Hon. Minister or the Government feels that this should wait, but the introduction of a General Social Security Scheme would take some time to implement. That was the Government's reply which was sent by C. B. Williams.

I am going to deal now specifically with the hon. member's reasoning saying that he cannot agree with this matter because of the decision about social security. I believe it would be easier for the hon. member to have said that his Party or Government would like to put on the Statute Book the façade that you are going to increase the benefits of Workmen's Compensation; but do not say that because you are thinking of a Social Security Scheme you cannot carry it! The reverse is the situation. It is easier to carry it as a Government scheme than to await further decisions about a Social Security Scheme. It is just as in Canada. Canada had an Industrial Injury Security Scheme before they had a Social Security Scheme and it did not preclude them from entering the wider scheme. Compensation for workmen is mainly the responsibility of the employer. The contribution which workers put towards the industrial injury scheme in the United Kingdom is only part of the high comprehensive scheme which we know that Barbados cannot cope with. As an example, the National Health Insurance Service in the United Kingdom provides a person with medical care in respect of industrial injury or not. Let us say that a person is injured in the United Kingdom as a result of an industrial accident. That does not preclude him from getting benefits under the National Health Service Scheme.

2.55 p.m.

I say this: even this Government, in my humble opinion; had enough time to have implemented the Workmen's Compensation Scheme; but the Government had a scheme which the Minister and the Government regarded as a matter of priority. From the first day that they got into office, the Ministers' business would be to proceed with the Workman's Compensation Bill along those lines; and I make bold to say that today, after they have been for two years in office, the Ministers would not have had to introduce this scheme. Mr. Stockman had made a recommendation as to social security, and again if the hon. member reads Mr. Stockman's Report carefully, he would see that Mr. Stockman made a recom-

mendation like this. He made a recommendation with regard to public assistance; but are you ready to say today or next week what is going to be your decision with regard to public assistance? I am a member of a working Committee which is meeting from week to week and which is going into the implications of the Stockman Report. In our Committee we cannot make any recommendation of what we propose to do because it does not come under the scheme. We cannot say how you should operate an industrial Act. This scheme would not have cost the Government one penny to implement. Far from that, I will tell the Hon. Minister that tomorrow I would underwrite this whole scheme. Give me three months in order to get the machinery into operation and I will underwrite this whole scheme and give him back money to run the buses, the Agricultural Corporation and the social schemes which you cannot run in Barbados now.

Mr. Speaker, I would do all of that, and I am quite satisfied that I would not raise the premium by one penny more. I would take in the premiums and the rates to be agreed upon, and I would give back the Government more than 50% of the money which is paid under the scheme. The Labour Department has just published a Report, and the Government in putting forward its recommendations to the L.L.O. said this - This is from the Insurance people - The number of the accidents reported from the 1st July, 1961, to the 30th June, 1963, a period of two years, total 809. They are as follows: Lifting power 3; operative 12; lifting and power, 3; transport 66; fire and explosion 7; poisonous, hot or corrosive 4; electricity 3; fall of persons 110; stepping on or striking against objects 142; struck by falling body 97; handling of objects with machinery 65; use of hand tools 167; animals 7 and miscellaneous 123. Of this total, 809 accidents, seven of them were fatal.

When you look at the accident rate in Barbados, you will see that it is not a high accident rate. It is likely to rise with the introduction of more industrial employment, but we are taking the facts as they are. Then we have another Report which has been broken down so that hon. members can see the nature of accidents occurring in the various types of industries in Barbados, and this would give hon. members some indication of what we are dealing with. You have here: Workmen's Compensation - number of accidents reported to the Court: the total number of workers injured, 541; number of cases of temporary disablement, 523; number of cases of permanent partial disablement 14; number of cases of total disablement, none; and the number of deaths is four. When you come to the amount of compensation paid into the Court, you have for temporary disablement, \$2,492.77; permanent partial disablement \$3,150.97; total disablement, none; and death, \$6,897.60. That makes a total amount of \$12,541.34. Let the Hon. Minister say how much premium was paid in 1961 and you can add another 50% to what was paid in through the Courts and some of this may be paid out other than through the Courts. You have four deaths in 1961, and seven between 1961 and 1963.

In the Report of the Department of Labour for the year 1961 on page 76, you will find what I have mentioned in table IXA and table IXA(1). When you have an amount coming to us like \$12,000 being paid out, the businessmen of this country will tell you how much money they have paid out towards Workmen's Compensation. I am quite satisfied that there is one type of industry which would pay more than \$12,000 in the case of an accident. The number of people in the building construction would have to pay out more than that. The sum of \$12,000 can only represent one sector of our community. I am satisfied that the sugar industry itself would pay more than £5,000 a year to cover everybody in the island. When you have an examination of the amount which is leaving this country along with the amount of money which is returned, \$12,000, that is where the hon. member should be able to tell this House how much money is leaving this country.

What you are going to do now is to increase the amount of money which will leave the country as against the meagre amount which the community is going to get by way

of benefit; and if that money had been put in a fund, thousands and thousands of dollars would remain in this country. Mr. Speaker, if the incidence is so high in my group instead of allowing you to be drawing too much out of the other group, if you were to raise some premiums, they may say: "You are drawing too much out of the fund and we are going to raise your rate." 3.05 p.m.

In Ontario, even under the Ontario Act, Mr. Speaker, railway people and bus people and others are allowed to operate their own Workmen's Compensation benefits, but they are requested to pay into the fund a minimum amount due to the fact that the fund operates in their community. Though they carry their own benefits, they still pay a nominal amount into the fund; so everybody is covered. I do not feel this is a burden on the country. This is not a Government scheme in which we are asking Government to spend money; this is a scheme in which Government would be able to save money and put in the same Government Bonds. Think of what it would be to this country if the Government can draw these gilt-edged Bonds instead of begging the community sometimes. Why should we, a poor community, be saddled with carrying the load of providing insurance companies with higher rates of profit thereby increasing the operational charges here in business to some extent? It means, therefore, a lower amount in wages will be paid although it would not be too big.

Mr. Speaker, let us examine domestic servants. We agree that domestic servants should be covered, but we do not agree that they should be covered to impose any unnecessary burden upon such persons who employ them. I should like to draw to the hon. member's attention that no domestic servant is going to get \$10,000, because this says 182 weeks or \$10,000 whichever is less; so when a domestic servant gets \$6.00 a week, do not let anybody go off with the idea that her beneficiaries are going to get \$10,000. All she is going to get is 182 by \$6.00 which is just over \$1,000. What we say is that she is going to get 75% of her weekly earnings. I do not know what insurance companies are going to charge for domestic servants; I do not know what premium they are going to work out; but what I would suggest is that you will have a big embossed form for a domestic servant working for \$7.00 or \$8.00 a week and you would be paying more money for the embossed form. If you take Stockman, they charge more for the paper, because when solicitors and lawyers have a case, they give you all this hard, thick paper which is nicely embossed and with handscript writing, and you have to pay for that paper; the insurance may be 10 cents, but it costs you \$5.05. The Hon. Leader of the House is more versed in this than I am, because he was a member of Parliament before me. I was so happy to think he was Minister of Labour as distinct from the former Government, that I said at least to myself that I am now going to get the Government to introduce an insurance scheme on the Ontario Act. I associate the Hon. Leader of the House with the Ontario Act, because I have never heard any other member of this Chamber speaking on the Ontario Act. He spoke about it so much that I made a special study to find out what this Ontario Act was, and it has become in my view one of the model bits of legislation. It is the model for Canada at least, and it has been regarded as the simplest form of industrial accident legislation. There is a Commission or Board and you reduce litigation to a minimum. Workers are allowed to go before the Board and the Board will take broad views on their cases, which, I think, is of extremely good benefit. What I do not understand with the hon. member's accumulated knowledge and experience, and may I say wisdom, on this matter is how today he can speak with his tongue in his cheek, and say that the idea of bringing forward this is a matter of urgency, and to put it on this basis more so than have it on the other basis. That is why I was appalled when the hon. member made that statement because all his arguments about security and Stockman fall to the ground when this is the first step in Stockman. You should not be waiting for Stockman to be introduced then to bring this in, because you are putting the cart before the horse. In dealing with this Workmen's Compensation now, the hon. member is bringing in fishermen and domestic servants, but who else is he leaving out? We are not having social security for the

unemployed as yet because we have not reached that. Unfortunately we cannot include them, because with 25% unemployed we would all have to take a swim. When you bring in industrial insurance coverage for 15,000 to 20,000 domestic servants and 1,500 fishermen, whom are you leaving out? For that reason a Government insurance scheme is a positive step not only to help the workers concerned, but in conserving money in this country which we badly need; and for a Government that is in need of money for investment, this is an excellent opportunity.

Mr. Speaker, the whole basis of social security hinges on savings; you cannot have social security unless you have saved. Men working for too low wages cannot save; but if they come into better circumstances, they can save for sickness, unforeseen circumstances and unexpected accidents. I would say that the whole concept of an employer paying a worker compensation was paternalistic, because he felt he had employed him and he had to give him something. If we are sharing this burden, the employers themselves will be jointly participating in these schemes in order to make the benefit wider. The hon. member projected that scheme as if it was the simpler one to implement, but may I tell the hon. member without divulging anything that Stockman recommended that Old Age Pension should be at 65. Old Age Pension at 68 now costs this Government \$1,200,000 at a maximum of \$2.40 a week, and if you bring everybody in at the age of 65 without increasing the rate, the cost would no longer be \$1,200,000; it would be near to \$2 million; so that is one of the social security benefits in Stockman that would be a continuing liability on the Government, because the ones who are now 68 years cannot be contributors. 3.15 p.m.

They are not working anywhere; therefore, why would you have to pass a law or provide enabling legislation that some person who is now in receipt of Old Age Pension should continue to receive it? I cannot go and tell a person who lives in Jessamy Lane that he must contribute.

When we talk of this Social Security Scheme, let me warn this House that the economics dealing with it are not as simple as you think. This is a scheme which the Government is not putting a cent in, and to bring public assistance to the rate of what Old Age Pension is, namely \$2.40 a week, it will cost this Government \$300,000 more notwithstanding the resolutions which would come at the next elections that you know Old Age Pensioners cannot live on \$2.40 a week, and therefore, if you increase it to \$5.00 a week the bill then would be \$5 million.

I want to draw to the Hon. Minister's attention that when you introduce this Bill here under the guise of your saying that you are postponing this for the new millenium, you have to give a full and close study to the full financial scheme that was recommended. I refer to the scheme recommended that you pay 5% of your income. I say that because this is a community where we have a lot of unemployment, underemployment and disguised employment, just as a woman selling nuts or a man with a cart selling snowball or disguised employment such as some type of subsidiary to something else which you are doing.

I will ask the Hon. Leader of the House this. With these things staring you in the face, are you suggesting that Workmen's Compensation should not be run by the Government, but should await a Social Security Scheme? Is it a logical exercise for us to pass this Bill without the serious consideration which it deserves? I do not see any reason why one day longer we should do this in the way which we are doing now. If the Hon. Minister was willing to say that if you pass this Bill today, they would not allow the proclamation of it to come in force until they get the machinery to put it into operation, I would say, "All right". At any rate, you do not pass legislation like this today and implement it tomorrow and have the schemes going by then because nobody would know how the new scheme would work without going into statistics.

What I think would have been a wiser step was for you to pass this legislation but say that you would not bring it into law, may be until the 1st April, next year, in order

to give the necessary machinery to put it into operation time to catch up with the legislation.

Sir, I could not read this information if you did not have something going. Nobody could tell you how many workers they are between the ages of 20 and 30 years, between 30 and 40 years and between 40 and 50 years. This is information which the Barbados Government acquired to submit to the national organisation.

Now, if you have 6,000 workers and \$70,000, the people involved in that, can you not say that this labour force will have a certain valuation? If the wage bill is \$40 million per annum, then you have to know what this represents and what premium you will get from that. I consider that is information which this Chamber should have. What I would say is this, I would take over this scheme which the Government is now implementing and say to all the employers and people in Barbados that I will give them the benefit which the Government proposes to give and give back to the Government some of the money. No insurance company running his business for a profit would undertake to do that. They are going to say that if the Government passes a Bill which increases the benefits to workers to something like 10% or 20%, they cannot carry insurance at the same rate. They will carry a man who works down at the Dock at a greater premium than the man who works in agriculture or the woman who is a domestic servant. What is going to take place? All employees in some dangerous type of employment, where accidents are at a higher rate, are going to be insured at a higher premium. I say that because by this analysis which I have, the highest number of people who have been injured was 167 and they were people who were using hand tools. Then came those who worked machines. They were also some who were engaged in electricity. When you come to others who were engaged in other skills, you can cut them down to the minimum. When you bring in a domestic servant, you are going to hear that a saucepan fell down and cut her hand. I know of a case where a lady went to light a stove and in doing so lit her hair also. As you know, some of them with gas stoves would forget to turn off the gas, and as soon as they go to light the stove the gas blows up. You are going to hear that some domestic servant went to bone fish and in doing so cut her finger. I do know that some of them are going to fare worse by this Bill because some domestic servants, when they get ill, they get better treatment than what they will be able to get normally under the Workmen's Compensation Act. Those are the sort of things which would be taking place.

3.25 p.m.

When you bring in this large number of people, you should cover them in industrial employment. It would be unfair to keep these people uncovered. We do not want other people to get money out of these people. No member of this Chamber, apart from those who are well off, could claim that the employment of a maid is not an industrial employment. It is one of the relics of slavery if these people are with you and they are doing something which your wife should normally be doing. In that way your wife can get more ease, it may be, for gossip, and other things, when this help comes along. Mr. Speaker, you would be regarded as being cheap if you did not employ a domestic servant. It would be said: "He is a big man, a member of the House of Assembly, and yet his wife has to scrub and so on; that is not living up to his status." There are some people who even employ domestic servants, but they cannot afford to employ them. Somebody's salary is near to that of the wages of a servant, but still he is living up with the Joneses. I am saying, Sir, that these people should be regarded as being in industrial employment in the true sense of the word.

Mr. Speaker, I feel that if you have these benefits, we should be able to provide these people with the benefits which they require. It is for that reason that the Government has not got to wait for any Social Security Scheme. This matter should be implemented in six months' time and thereby save this country considerable amounts of money. In the Government's Manifesto they said that they would change the law with respect to Workmen's Compen-

sation, but is it so that somebody is going to hold you up to ransom if you did not bring forward a Workman's Compensation Act in 1962 or in 1963? If you have not done this thing, you can say that you are going to do it and that you are merely awaiting the machinery to do it. If I say that Workmen's Compensation should be run by the State, I would take it over in less than six months because I would take the trouble to go into the matter. You can collect all the information; you have a Labour Department, you have a Statistical Department; as a matter of fact, you have a host of departmental organization which could collate this information and tell us what the running of this scheme would cost. Somebody gave the vague answer that you cannot run it; well, Sir, that springs from the idea that the Government could do nothing which the private people had been doing in the past.

Mr. Speaker, as to the weekly rates of payment as set out in Clause 11 of the Bill, when you come to these rates, I do not agree with everything. I will read from the Memorandum itself in order to show that we are not any "Johnnies come late". We were very disturbed by the uncharitable allegation which was made against our Organization to the effect that we were obstructionists. In our letter to the Government, this is what we said on the 26th March, 1963:-

"While it is most desirable that fishermen should be brought within the scope of the Act, wide consultation with representatives of both sides of the industry would appear to be required if grave injury to our fishermen is to be avoided."

Mr. Speaker, let us look at the definition of "workman" in this Bill. This is what it says:- "workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour or otherwise, whether the contract was made before or after the commencement of this Act and whether such contract is expressed or implied, is oral or in writing, whether the remuneration is calculated by time or by work done, and whether by the day, week, month or with reference to any other period whatever; and also includes a person engaged in fishing on board any fishing vessel or fishing boat or in plying for hire with any vehicle or vessel the use of which is obtained by that person under any contract of bailment (other than a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise."

We asked the Government — and we would like to know from them — how do they know so well that they can implement a Clause like this in Barbados without consulting people in the fishing industry so as to get some idea as to how this Clause will work? I think that the hon. member should know fishermen; do you know what the fishermen told their Master when he told them that they should cast their net on the right side? This is what they told him even if I paraphrase it. They told Him: "We have been out here all the time and have not caught anything; therefore if you know that some are out here, you can come out here and cast the net".

Mr. Speaker, you have cases where fishing is not done on the ordinary basis of employer and employee, but it is done on a big joint basis. Therefore I am saying that before you implement legislation of this character, the persons who are involved should be consulted in the matter. That is all we ask. Do not let that be taken to mean that we are in any way opposed to fishermen being covered by this Bill; we think that in this Bill every person should be covered. I go further and say that people who are working in Clubs should be covered. You not only have the Barbados Turf Club but you also have the Pickwick Club. You take, for instance, that "Jimmy" is rolling a heavy roller on the wicket and one of his big toes is cut off! What are you going to do about that?

3.35 p.m.

We would not be in any way stopping the coverage of any one, because I would say, in relation to domestic servants, that I do not see if you are going to cover a domestic servant who performs for practical purposes the same acti-

vities as some persons in a club, that you can exclude that person because he is working in a Club. Nearly every club in Barbados is insured, and I am sure it costs more to insure a club than it would cost to insure a man; so if you can pay to insure a club house, you can pay the normal insurance to insure a man. Any person who in my view is working for a weekly wage should be covered. Looking at fishing as we know it is done, I would ask the Hon. Minister how he could pass a Bill like this today without full consultation with the fishing industry and with all the idiosyncracies peculiar to the fishing industry. Attempt to pay a fisherman by the week and see if you will eat a fish! Fishermen work on a boat and share the catch. If they are sharing on that joint basis, how are you going to analyse the employer? Some employers are the men who own the boat and their share is in what the boat gets, but somebody who has not been fishing would not know. Do you think the owner of a boat can have a share more than the other men on the boat? If it were so, he would be looking for his boat somewhere. Have you ever heard that anybody can buy a fisherman's boat at an auction? If it is for \$50.00, buy it and see how much boat you will have after. You may have the chain! There is a community interest and cooperation among fishermen, and I would like to advocate a co-operative for fishermen in order to save them. We would like to see protection given to men going on vessels. When it comes to the fishing fleet as distinct from seamen, do not let us mistake a seaman with a fisherman. A seaman working on the Harrison Line or any other ocean-going vessel is not the same as a man catching brim at Brandon or going on one of the banks in a fishing boat. It is a different type of employment, and that is why I would like to see full consultation, because if there is, you are likely to avoid some of these pitfalls. It is my strong contention that you should be able to bring these people together and have a discussion with them.

Mr. Speaker, there are some other points in the Bill which I will ask the Hon. Minister to explain when it comes to the Committee stage. The hon. member said that a life is a life, but a life in a poor community is not valued at the same as a life in a rich one, and by this Act a life is not a life, because a life for \$10.00 a week is only worth \$10.00 a week, and a man who is working for \$10.00 a week is going to get less than if he were working for \$25.00 a week; so these lives have different prices. That is why we have contended that we could see ourselves agreeing to a flat rate for the beneficiaries if a man or a woman dies. Let us take the case of a child; a child of one or two years from a domestic servant might possess the same potential as a child from a person working in different employment; but the child is going to be penalised because it is the dependant of a domestic servant for the amount that its future would be able to hold; so the child is condemned to a future born out of the economic circumstances of its parents over which the child had no control, and that child's life would be stunted by the fact that its mother or father only worked in a wage segment that was not higher. For that reason we never were in favour of this sliding scale. We believe in a flat rate and said in 1957 that it should be \$5,000. We might have been forced under circumstances to raise it, but naturally the people who would be eligible for \$10,000 would be the beneficiaries of people working for \$50.00 a week, and that is not indicative of the normal wage pattern in Barbados.

What I want to draw to the Minister's attention is the Clause on medical aid. The section reads as follows:-

"Subject to the provisions of subsection (2), the employer shall defray the reasonable expenses an amount not exceeding \$250.00 under each head reasonably incurred by a workman who has suffered personal injury as a result of an accident arising out of and in the course of his employment in respect of the following heads - (a) medical, surgical, dental and hospital treatment, skilled nursing services, the supply of medicine, and travelling for the purpose of obtaining any of the foregoing; and (b) the supply, maintenance, repair and renewal of non articulated artificial limbs and apparatus."

I know that some lawyers feel that if you do not put a limit, a man would do anything; but I feel that if a worker

is injured in an accident, there should not be any limit to his rehabilitation as a result of that accident in medical treatment. If a worker had all his teeth knocked out in an accident, and the replacement of such amounts to \$350 and you only give him \$200, where is he going to get the other \$150 in the meantime, because in that injury he is going to receive 75% of his earnings? Medical aid is nothing a man is getting. I have heard people say that if you make these benefits too good, a man would go and get an injury in order to draw money. Have we seen workers killing themselves since we have had Workmen's Compensation so that their families can get compensation? Have we seen a man go and get his arm cut off to get compensation so that he is a one-armed compensated man? People will exploit temporary disablement. You may get an injury which is not too serious for which the worker cannot work for two weeks and will get that compensation. You might get a case where every time a worker goes to a place, he gets a cold, but in a general way medical aid as the result of injury cannot be exploited because you should have your reasonable services, and I do hope that we will be able to build more clinics.

Mr. Speaker, I hope in the process of time that we in the Union will be able to supplement what the Government is doing by building some clinics in the country in order to help some of those workers who are far away from the best medical services.

3.45 p.m.

They will be able to get some temporary relief where you have accidents, and instead of people having to wend their way from St. Andrew to Bridgetown, they will get some medical attention as a stop gap.

I do not consider that there should be any limitation of medical services, but here in this Bill it is put at \$250. I ask why? If a man gets into a serious accident, some of those accidents can totally disable you. I know a man in my constituency who was taking a tyre off a lorry and a steel band came off and struck him. He was lucky that it did not kill him. It struck him on his foot and he was in Hospital for 18 months. That man for practical purposes has suffered total disablement of his right leg. If that man has to use artificial aid, why should medical treatment be limited to \$250? I do not think the argument should be located to the peculiar philosophy when I was a boy that there was plenty of those wooden legged people with those steel things around them. I believe in my time as a boy, many a boy had a certain amount of fear for such persons because they thought of what would happen if those wooden legged persons stood up on their feet. I would like to know why medical treatment is only \$250. Other than that, I am not in agreement with the other part of that section which makes it obligatory in some instances for a workman to go to the employer's doctor. I feel the workman should have the right, in the first instance, to go to the doctor of his choice. This Section reads:

"16 (1) Where a workman has given notice of an accident or where an accident has occurred in respect of which the necessity of giving notice under this Act is dispensed with, a workman shall, if the employer offers to have him examined free of charge by a registered medical practitioner, submit himself for such examination, and any workman who is in receipt of a weekly payment under this Act shall, if so required, submit himself for such examination from time to time:"

" Provided that a workman shall not be required to submit himself for examination by a registered medical practitioner otherwise than in accordance with regulations made under this Act, or at more frequent intervals than may be prescribed."

I do not like that. A man should be able to go to his own doctor to get a certificate and come back and show the employer. If the employer does not like something in that certificate, he can say: "Let me bring somebody else and have some consultation". This Clause looks a bit peculiar to me and I would like to have some more discussion on it.

Mr. SPEAKER: I would ask the hon. member to continue along those lines in relation to certain clauses and do not overlook the Standing Order.

Mr. WALCOTT: As the Hon. Minister drew attention to some of these new Clauses, I am dealing with some of them. I am not speaking on the Clauses which are in the present Act. The last Clause which I will make reference to, is one which I have mentioned already and it is with regard to persons who work at these clubs.

I think I have made my position quite clear, Mr. Speaker, that there are some objections to the passage of this Bill without giving other people the opportunity of coming forward to discuss this matter. I am in general agreement as to the new clauses for better provisions to be made for workers: but, as I have said, I consider a Government-sponsored scheme is one to which we are entitled, and one which the workers in the community are entitled to, and we would have a savings from it.

I think it would be dangerous for the Government to implement this Bill with the Clause dealing with fishermen as it is without further consultation. I believe that you should get people to come and express their views on this Clause. I cannot speak for fishermen as such, but I am sure that there are other hon. members in here who know something of fishermen. I feel that persons in the fishing industry should be given the opportunity to meet a Select Committee on this Bill and say how they think this should be implemented. The Hon. Minister has not done what I consider he should do, that is, to give the House some idea of the value of Workmen's Compensation. I have just read out some of the figures to show the value, and I am submitting that with the increased value and the scope which you are covering, that would enhance the position of the insurers to a greater extent than the benefit which you are giving to workers. I do not want to be involved in any political gimmick; but if you give people \$10,000 in the case of death through accident of the person whom they were depending on because you have increased from 156 to 182 weeks — the basis of that benefit — more is going to be derived from the 182 weeks as compared with 156 weeks. On top of that, the coverage now includes people like Tally Clerks and people who work for a salary up to \$400 a month. Therefore, this new Bill does embrace a sector of people which was not included in the Workmen's Compensation Act before. When you bring in Clerks, what you would be doing is to bring in all the people who are employed in stores in Bridgetown; therefore, the people who did not pay insurance premiums before would be paying and they will be liable to receive Workmen's Compensation because people in offices do happen to be injured accidentally. It means that businessmen will have to carry a wider coverage, and I am grieved to think that this windfall by this legislation is going to find its way going out of Barbados and not residing in Barbados. I feel the employers and employees should be contributors to a Social Security Scheme in that the earnings and profits which they make should go towards supplementing and building up the economy of the country. Therefore, far from waiting until a Social Security Scheme comes into operation, this Workmen's Compensation Bill should be the forerunner of that scheme, so that when you bring in that scheme you will have already some savings. You will have something in hand to take care of some of those people who are going to be in No-man's Land.

3.55 p.m.

Therefore, Mr. Speaker, I have to agree with those who have expressed the view that owing to the wide ramifications of the Bill, owing to its character and its nature, we can best serve the community by giving the opportunity to people in the community to come before a Select Committee and let us make sure that we have answered all their wishes and their desires. In so doing we will be doing something for posterity. We have waited for two years already and if we wait for two weeks longer, that will give the Government the opportunity of re-examining their own thinking about the Government Insurance Scheme and it will also give the Government the opportunity of insuring Workmen's Compensation for Barbadian employers, Barbadian employees and for the community as a whole.

Mr. SMITH: Mr. Speaker, after listening to the hon. introducer of this Bill, I had really made up my mind not to

say anything on this matter because I had believed what he had said. I believed that the hon. introducer of this Bill had consulted the Barbados Workers' Union and the employers, and so long as the hon. member had done that, I felt that the job was done; consequently, there would not be any need for tarrying any longer with this Measure or prolonging the debate on it. I really had believed that the hon. member had consulted these people although I should not have believed it. I must say that I got one of the biggest surprises of my life when the hon. senior member for St. Peter said that his Union was not consulted in the matter. Mr. Speaker, I did not know how to believe what I heard with my own ears. I would not expect that one would get up on the floor of this House and say that he had consulted another person who was present when he really had not consulted that person. I have to believe now what I heard with my own ears because, as you know, Sir, when the hon. senior member for St. Peter first began to speak, every minute the hon. introducer of the Bill would rise on a point of order. Up to now, the hon. introducer has not denied what the hon. senior member for St. Peter has said, that is, that he has not consulted him in this matter.

Mr. Speaker, this is a Bill with which every one would have to be in agreement, because it is protecting the lives of workers. All of us in this House are in duty bound to support this Bill. I would also have to find out for myself if all the employers who ought to be consulted in this matter were consulted. I cannot believe that after hearing the remarks of the hon. senior member for St. Peter. It is a fact, as you know, Sir, that we have some employers who are employers by having to pay out money, and they are also employers of some employees who are in a better position than the employers financially. We have some employers who, in order to get ends to meet, have to allow their wives to work also. That is a fact because these employers cannot work for as much as to keep everything going as it should be kept going, and their wives are not getting as much as they should have after paying their rent, bills and so on. In order to do that, a wife has to go out and assist her husband in working, but at the same time when she goes out to work she is leaving children at home and she must employ a servant to take care of those children and of the house as well.

Mr. Speaker, I wonder if the Hon. Minister has taken that fact into consideration? As soon as this Bill is passed and people have to carry out the necessary obligations by way of insurance, and so on, we have to be very careful that it will not cause wives and servants to remain at home. Up to now, I am not told how much it will cost to insure a domestic servant. When a wife sits down and considers that there is so much to be paid per year or per month for the servants by way of insurance and how much is taken out for income tax, she might say: "Well, I may as well stay at home." We do not want that sort of thing to happen. It may be argued that when the wife has decided to remain at home from that job, somebody else is getting that job; but it may be a job which a domestic servant cannot perform and that domestic servant would be out of work. As I see it, Sir, by sending this Bill to a Select Committee, that would not be doing anybody any harm; but the Minister is bent on railroading this Bill through the House because he was hoping that no hon. member would think of sending this Bill to a Select Committee, because they had gone into the facts. He was hoping that, as he had consulted, as he says, the Barbados Workers' Union, the employers and the workers, it would not be necessary for this Bill to be sent to a Select Committee. However, Sir, I have seen the necessity for sending this Bill to a Select Committee after hearing the remarks of the hon. senior member for St. Peter. I can remember that this Government when they were in the Opposition, used to lambast the last Government for railroading Resolutions and Bills through this House; but now they are doing exactly the same thing for which they used to lambast the last Government. They are railroading Resolutions and Bills through this House in the same way as they complained that the last Government was doing.

4.05 p.m.

They did not leave a stone unturned in lambasting the last Government for doing the same thing they are doing

today, and from the time they took office they have done nothing else but railroad things through this House. It is not a good feature and is causing me to be very doubtful. As I said in my opening remarks, I had believed every word the Minister said and I was not prepared to say one word; but now the hon. senior member for St. Peter has let the cat out of the bag, and if he did not do that I would still be in darkness. This makes me feel that the present Government feels it is on the late side. That reminds me of a man who thought he was marrying a two-legged woman, but he only discovered that she had one after he was coming down the aisle. When he discovered it and asked her, she told him "Ting! Bup! Too late!" The ring was on already. This Bill takes a lot of study, and when one listens to the hon. senior member for St. Peter you will have to think twice. You have to go into all the aspects of this Bill and listen to all sides. I have said already that because you are an employer, it does not in truth and in fact mean that you are a big shot. There are some employers who, when pay day comes, try to hide from the employees or go home late because they do not have all the necessary cash after paying school fees, food bill and rent bill. They are still counted as employers, and it is that type of employer that we have to think about. I do not believe that anyone in this world would allow his wife to go out and work and leave the home to a stranger or a servant; so whenever a wife has to go out and work to earn a livelihood, hardship has caused it. I do not think a husband would be so brutal to a wife to compel her to go out and work when he can prevent her from doing so. As soon as that happens, we have to go into figures and think seriously, because the wife may be earning \$80 a month or as high as \$100, she may be paying the servant \$40 a month with another \$10 for accommodation; so she is only left with \$30 for herself out of the \$80 and income tax has to come from that. She is however still doing something because she can help the home with that \$30 by buying shoes for the children or herself. If by insurance expenses you cause her to pay out more, surely she would prefer to stay at home, and we would not like that to happen. We would like everybody to work, because we cannot think of creating unemployment.

I think the time has come, therefore, when the Minister should agree to sending this Bill to Select Committee, so that we might find out from the insurance companies what it would cost to cover these people. I do not agree with the Hon. Minister that this should not go to Select Committee. As a matter of fact, this must need two Select Committees to go into this matter to make it right. In other words, let us fix it right before we create a hardship one way or the other. I am in favour of the Bill because we are protecting human lives. The time has come when every worker should be protected, and if an employer has three people working, it is not fair that two are protected and the other is not. Let us go into the matter calmly and at the same time see whether Government cannot do this type of insurance as the hon. senior member for St. Peter has said. This money should remain in the country, and if there is anything to be made from the workers, let us spend it back on them. There are several things on which you can spend the money if Government undertakes this, but with a private company it will go in the other direction which will not be in our favour. It may go in my direction if I am a shareholder, or in yours, Mr. Speaker, if you are a shareholder; but very few of the employers may be shareholders. As the Hon. Minister said, they will not be reaping a harvest longer than this year; so it is the intention of Government to run it. They might not be reaping a harvest between now and next year, but they may reap a fortune, because I know insurance companies, and when one turns you down, all turn you down. If the hon. member has informed them that he is only giving them a break until next year, I believe all of them must be getting together to fix rates. The Minister should have said that Government intends to run it so that the insurance companies would not get together; so I think he started off wrong. Every true thing should not be spoken, and I believe that was a slip by the Minister.

4.15 p.m.

If it is a fact that the premium per person can be \$1.00 and they know that they have a limited time — it can be twenty days — therefore, he should not have allowed them

to know that. We have to be very careful; and now since he has done that and said so, let us go into it and if possible we will not put it into action until the Government is geared to carry it on. Let us send it to Select Committee because there is more than one type of employer to be consulted. If it were one type, it would be all right. I dare suppose that the Government must have consulted that type already, but there are other types to be consulted. Going through with this, will take until next year because next year is only roughly speaking a month away from now. Of course, it may not mean January, but that is next year.

Sir, I am listening to hear when the House is going to be prorogued. We all are looking forward that next year will be the year when the House will be prorogued with a view to General Elections. I am appealing to the Hon. Minister now in the interest of everybody and his Government to accept the motion which was made that this Bill be sent to a Select Committee so as to give each and every one a chance of going into this matter. As I have said, I do not think the Hon. Minister has given any consideration to that type of employer whom I have just mentioned.

Mr. SPEAKER: Actually, there is no motion yet that this Bill be sent to a Select Committee. That would not take place until the Bill is given its second reading. It has been mentioned by the hon. senior member for the City of Bridgetown that it should be sent to a Select Committee but at this stage there cannot be any motion.

Mr. SMITH: Thanks very much, Mr. Speaker. So much the better for the Hon. Minister. He can change his mind from railroading it in this House today. If he does not want to treat the employers or the employees unfairly and he wants to be fair to everyone, he will consent to this Bill being sent to a Select Committee.

Mr. BOXILL: Mr. Speaker, I am rising to support this Bill. I think it has been fairly well drafted. There are only a few points which I would like to ask the Hon. Minister to explain to me and I am sure he will do so; but otherwise, I have found this Bill to be rather comprehensive. It strikes me that some of the hon. members who spoke on this Bill do not seem to have read it thoroughly, or if they did, they have not understood what they have read. The last hon. member who sat down kept saying that this Government was trying to railroad this Bill through this House. Nothing could be further from the truth, because this Bill was on the Order Paper for over two weeks, and if hon. members can remember when this Bill should have been debated last Tuesday, the Hon. Leader of the House acquiesced to the many requests made to postpone this Bill until today. I do not see any railroading whatsoever of this Bill in this House today. What some hon. members fail to realise is that this Bill does not only cover employees; it also covers employers.

In reply to the last hon. member who spoke, he was saying that you might have to give up your employment in order to stay at home to do daily chores. He said so without realising that there are few wives who can earn as much as \$400 per month. They are also covered by this Bill. This Bill goes further than the Trinidad ordinance because the Trinidad ordinance only covers you up to \$200 per month. This covers you up to \$400 per month. What hon. members must realise is that it is alright to come in here and play to the gallery, especially when they go outside and hear the comment, and how nicely they spoke; but it is just as sometimes when you praise a schoolboy for doing a sum right, he seems to have the idea that he knows more about mathematics than the headmaster. The more quickly that members of this House realise that they owe the people who sent them here a duty to perform and not to be coming in here for cheap publicity and wasting the time of the House, the better it would be. It would be better the day that some of these debates are allowed to be broadcast so that constituents in the various constituencies can hear what calibre or material they have sent here to represent them and so that they can get a true picture of what is taking place in here, and not a picture of what the "Advocate" or the "News" or other newspapers seem to propagate.

Mr. Speaker, in going back to the Bill, what I would like to ask the Hon. Leader of this House is if an attendant at the Mental Hospital while performing his duty were to get injured, if he will be covered by this Bill. I would also like to know if this Bill covers a policeman much better than the present Workmen's Compensation Act. I ask that because a policeman can be stabbed or he can lose an eye while performing his duty. I want to know if in drafting this Bill, the Government envisaged those persons. Are policemen covered in this Workmen's Compensation Bill or have they their own and that is better than this?

I agree with the argument put forward by each hon. member who mentioned something about this. I feel that the Government should be carrying this piece of insurance and I also feel that the Government should be carrying Third Party Insurance because it is time that we stop insurance companies coming into the Island and taking away our money.

If the Hon. Leader of the House does not agree with me, all well and good. I am here to support this Bill, but I do feel that if he cannot see in his wisdom now that the Government should be carrying this insurance, he would see fit to come back in here next Tuesday with a bit of legislation in order to curtail insurance companies from sending outside more than one-third of their total earnings which they are making in Barbados.
4.25 p.m.

These people are making a windfall. I saw a man who sold as much as a million dollars of insurance in Barbados and that is only in respect of one company. I am serious about this matter; I say that it is about time that we take another look at these insurance companies. If the Government cannot see fit to carry out this insurance now, I hope that they will see fit to carry it out in the shortest possible time.

Mr. Speaker, another thing which I would like to mention to the Hon. Minister is this; we know that many people in Barbados are trying to live like the Joneses and, at the same time, the Joneses are trying to live like themselves. As a result of that, what they are really paying two servants cannot maintain one home. I would like to appeal to the Hon. Minister to see that a domestic servant should also be covered by this \$12,000. If a domestic servant gets this 180 days or whatever it is — as my colleague on my right has said these people might only be working for six dollars or seven dollars per week and they are not getting this big lump-sum of money. This sum of \$1,000 cannot go very far in this modern day. I am therefore appealing to the Hon. Minister that he should see the light which I am putting before him. We are not going to get any more people committing suicide because of this Bill than we had formerly. With those few remarks, Mr. Speaker, I beg to support this Bill.

Mr. CORBIN: Mr. Speaker, I am sure that this Bill is a great necessity for the island of Barbados. One of the reasons which caused me to speak on this Bill this afternoon is the case of the fishermen. The fishermen have not been placed in as secure a position as they really should be placed. The fishing industry is one of the greatest industries which we have throughout the world today, but in Barbados it has been neglected a long time ago. We should think of the fishermen who leave their beds at midnight in order to go on the high seas in small boats so as to search for food for their fellow creatures. These fishermen meet with storms and billows outside while they are searching for food for us. Sometimes their boats drift, and sometimes these men do not see the land for a day. Sometimes they are drifting without food or water and sometimes they die in their boats and their families do not get any recompense. Their parents, wives and families have to do without them and nobody contributes to these people. We have neglected these poor fishermen; we have refused to consider them.

There were some young men who came to Bridgetown and went out in a boat which drifted for days and days. They drifted to St. Lucia and when the Government of St. Lucia discovered the boat, these men were dead in the boat

for so long that they had to burn the boat out to sea. Nobody has seen fit to contribute to the wives and families of those men. As I have said, Mr. Speaker, the fishermen have to go out to sea and scratch for food in order that we, who are their fellow creatures, should live. If these people were protected, I am sure that their wives and children would not suffer in the way they do suffer. When a man leaves his wife and children and goes out to sea, or he may go out to work otherwise, when he gets involved in a fatal accident there is no one who comes to the protection of his wife and children. The Government should not fail, or I should say no Government should fail, to consider the plight of these people who go out in search of food for us. We go to the market and we see the boats and we know how we feel when we see these boats come in with fish. Our hearts are glad when we see them come in.

These poor fishermen have to go to their work and they labour for us. Sometimes they take the wrong latitude and they get lost. As the saying goes: "Every day is fishing day, but every day is not catching day." I am glad Mr. Speaker, that provision is being made for the protection of these people. We do not in any way wish that accidents or injury should occur to anybody but, Sir, these things will happen and they do in fact happen.
4.35 p.m.

This Bill would make it possible for people to be protected, and those families that are left behind would get some kind of recompense, and I am glad to see that Government is taking such a step in the interest of the people in the Island. There are many things which this Government had done which were long overdue, but everything takes time. Any man who hires a servant should be in a position to pay her. There are some people who are too proud to do certain things for themselves, and others are too lazy to work. I have not been to the United States, but I have met people from there who remained in Barbados for some time and I have seen how they work. Although they have money they cook, wash and starch for themselves, attend to their children and still go out and have a dance. There is a certain class in Barbados who as soon as they are working for \$100 a month, have so much pride that they do not want to bring water to wash their own faces and skins. They are too proud to let somebody see them going to the pipe. That type of persons should be made to pay a servant because he is too proud. I live at Lakes and I am not too proud to cook and wash for myself. A millionaire should not be too proud to do something for himself.

Mr. Speaker, I do not believe that any sensible person would try to bring harm on himself. Sometimes a person lights a kerosene oil stove and it blows up and injure the person, and compensation for such injury would be nothing hard. If there are clauses in this Bill which need amending, the Minister in charge will be able to make amendments, or if it is necessary the Bill can be sent to Select Committee. For my part I hope that this Bill will be passed as soon as possible in order to give protection to the people of this Island. I met a man in my constituency a few months ago who worked at a place called Haggatts from the time he was ten years and he is now 96. He got injured a few months ago and had to take his own money to pay a doctor to attend to him. It is true that he was insured, but he would have to wait too long to get insurance money, and the doctors say they are not going to attend to any employees unless they bring the money, because they have to wait too long to get the money through the insurance companies. The whole set of insurance companies needs reviewing, and I am sure that this Bill will bring certain people to their senses. When this Bill passes, certain people will benefit from it if they become injured. I will end by saying that I support this Bill 100% and hope it passes soon.

Mr. SEALEY: Mr. Speaker, I should like to commend the Government for bringing this Workmen's Compensation Bill, especially since it now takes care of fishermen whom other Governments have never mentioned and also domestic servants. I feel, however, that Government can go further and take care of other people. There are persons who work on trucks, lorry drivers and other workers who

can be controlled by Government. I never intended to speak on this Bill, because I felt it was one of the most appropriate Bills to come before this House for a long time; but having heard the hon. senior member for St. Peter say that this matter should have been discussed freely between the Employers Federation and also the Barbados Workers' Union, I too feel that it should be discussed in Select Committee before it is passed. This is a very important matter and the hon. Leader of the House has covered many angles. I should however like to associate myself with the views of the Leader of the Opposition in having this Bill sent to Select Committee after the second reading so that it can be discussed more fully.

Mr. GODDARD: Mr. Speaker, I do not intend to be long because this has been covered so fully. The only thing I think Government has failed to do, although the hon. member said he had endeavoured to get the information, was to find out from some source what this is going to cost since it is so important to the economy of this Island. We are not dealing today with the principle of Workmen's Compensation; that goes back to 1943. This is to increase the benefits of injured workers.
4.45 p.m.

We all agree that the time has come when those benefits should increase because money today is not worth what it was worth six years ago. However the increases envisaged in this Bill are of considerable sums and the premiums as a result of that would have to go up. Not only are the benefits increased but they encompass a wider section of the community. Domestic servants come into it and it pretty well covers every employee in Barbados with the exception of those workers in clubs and even that needs greater clarification.

All Bills of this nature are really Bills of a technical nature and those who have most to deal with this, are the insurance companies, the Trade Union and employers, and they should be consulted so that they can have the opportunity of expressing very fully in Committee the implications of this Bill. It is no use our sitting here and passing this Bill tonight and implementing it in six months' time when for the sake of sending it to Select Committee we can put right something which might be glaringly wrong.

When the employers were told of this Bill, they sent in a memorandum on it, but none of the suggestions in that memorandum has been implemented in this Bill. They are the ones to deal with it and they would know more than anyone else the effects. This would extract out of the economy of this Island a lot of money, and it can be filtered away through insurance companies that are all operating from overseas. The proposals that it be sent to Select Committee by the Hon. Leader of my Party and other members would meet with my support. We reiterate that the principles of the Bill are good but we would like to have a look at it with the experts in Select Committee so that we would turn out a better Bill than what we have here.

Hon. W. A. CRAWFORD: Mr. Speaker, this matter before the House is quite naturally in the hands of the hon. members. It is a question for them to decide whether they want to continue much longer for workmen to be injured in this colony every day and to be receiving only the small compensation which they are entitled to under the present legislation. The benefits in this Bill are in some cases twice as much as the existing benefits.

Within another month, the crop would start, and other workers would be getting injured in factories. Some would be losing their lives and in some cases the bread winner of a family who was living under the common-law system would be losing his and his dependents would not be entitled to one cent. In the Bill before the House we have made provision for cases where a man is living with a common-law wife, the dependants depending on him for subsistence would therefore be entitled to benefits.

The hon. senior member for St. Peter recalls every day in this Chamber that there has been dissatisfaction existing for fully 20 years with regards to the present

system of compensation. Secondly, he recalls the fact that as far back as 1956 the Government in office then said that they regarded amendments to the Workmen's Compensation Act as a matter of priority; and having said so, and having paid lip service to improving the Workmen's Compensation, they did absolutely nothing about it, and when their term of office expired and the position of the injured worker remained the same.

This Government came into office almost two years ago and from the time they came into office we have given this matter serious consideration. We have now come to the House with concrete proposals and in these proposals the condition of the injured workers is fundamentally enhanced. If hon. members want present conditions to be perpetuated for a longer time, it is a matter for them; but we of the Government feel that this a matter which brooks no delay.

Mr. MOTTLEY: Mr. Speaker, I rise on a point of order. I do not like that statement by the Hon. Minister that hon. members want this to be perpetuated for a longer time. We do not want this to be perpetuated for a longer time. All that we have said is that this Bill should be sent to a Select Committee. Let us say that the Other Place passes this Bill tomorrow. Insurance companies would still have to come together on it.

Mr. SPEAKER: The Hon. Leader of the Opposition has already spoken.

Mr. MOTTLEY: With the greatest respect to Your Honour, I have seen members of the Government doing the same thing.

Mr. SPEAKER: Two wrongs do not make a right.

Hon. W. A. CRAWFORD: Sir, if this Bill goes to a Select Committee, what is going to happen? We will be going into the basic points of difference as expressed in the Chamber today. What are those basic points? The first point, as made by the hon. senior member for St. Peter, is the question of the introduction of the Ontario system of compensation. The Ontario system, as I said earlier is operating on a completely different basis. With this Bill, you avoid all the protracted delay and the uncertainties and perplexities of litigation because the benefits are to be decided by a Board.

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. I was not against the introduction of this Bill, nor did I suggest that it should be sent to a Select Committee to deal with that point.

Mr. SPEAKER: That is more a point of elucidation.

Hon. W. A. CRAWFORD: I did not say that he said that it should go to Select Committee to decide on the feasibility of the Ontario system. I asked a question; what were the basic points of difference between the Government and hon. members on the other side and them, so as to arrive at a conclusion as to whether or not the Bill should be sent to a Select Committee. I began to point out the points raised by hon. members.
4.55 p.m.

I am trying to deal *seriatim* with the points which have been raised by hon. members and showing that referring this Bill to a Select Committee cannot solve them; but if the hon. member who raised this point about the Ontario system does not want it to be dilated on, we can pass on. The Ontario system was to be preferred to the existing system which we have, but now we are going on to something even further than that. As I said earlier, within another year or so we hope to introduce a General Security Scheme under the umbrella of which provision will be made for industrial injuries. The time has passed for consideration to be given to the question of substituting the present system for the Ontario system.

Mr. Speaker, before dealing with the fishermen, the domestic servants and so on, I want to clarify this question

of consultation with the Barbados Workers' Union. I said that the Government had consulted with the employers' representatives and the representatives of the workers in connection with this matter, with respect to the Bill which is now before the House. In so far as differentiation was concerned between what this discussion took place on and what is before the House today, this differentiation centred around what the Government party stated in the Manifesto. The public knew that we intended to implement that and therefore we have a mandate to implement it. Apparently, in 1958, when the other Government was in office, some attempt was made in a rather inane fashion to consider an amendment to the Workmen's Compensation Act, and the views of the Barbados Workers' Union and those of the employers' representatives were sought. When this Government came into office, we found in the files the views which were put forward by the Barbados Workers' Union and those which were put forward by the employers' representatives. Whether it was a question of the last Government's indifference or neglect or laziness or what not, that they did not pursue any further action on the matter, we do not know; what we know is that in my files in the Ministry there were the views of the Barbados Workers' Union and the views of the employers' representatives. Those views were sent to the Ministry as far back as 1958. The same views were affirmed in September of the same year; they were again affirmed in October, 1958, and on the 10th July, 1961, and in the record of a subsequent meeting which was held in August, 1961, the same views were affirmed. We went into office in December, 1961, I am submitting that, as has been shown, the Barbados Workers' Union is not a weathercock, something which shifts its views with every change of the wind. If the Union had emphatically stated precisely how it stood in this matter, what was the use of going back to the Union again? If they were a body of irresponsible people and they were changing their views with every change of the wind, then we would have gone to them again in connection with this matter; but knowing the position of the Union five months before our assumption of office, we thought it a waste of time to call in the Union again and we acted on the assumption that what they stated in 1958 still represented the views for which they stood.

Mr. WALCOTT: On a point of order. The hon. member said that they, meaning the Government, had consulted my Organization and I objected to that. The hon. member should repeat that what we urged was that nothing was sent to him, the Minister of Labour. He expressed some views of the last Government, we expressed to them our objection, but we were not aware of what the Government intended to do until they did what they decided to do. We said that that was not sufficient.

Hon. W. A. CRAWFORD: Technically speaking, the hon. member is correct; neither his Union nor I had any actual discussion on the matter.

Mr. SPEAKER: Does "Technically speaking" mean "academically speaking"?

Hon. W. A. CRAWFORD: It may be diametrically speaking. However, Sir, I do feel that it would have been a waste of time on our part to recall the Barbados Workers' Union when their views had been known to us in August, 1961, and we were considering the matter in December, 1961. The hon. member and I did not sit around a Conference Table to discuss paragraph by paragraph the provisions of this Bill; they knew where we stood and we knew where they stood. We actually named a figure in our campaign. We said that we saw no reason why life should be so cheap that a workman who is injured in the course of his employment should receive the little amount to which he is entitled under the provisions of the Act. We said that in the neighbouring island of Antigua the amount was twice as high.

In 1961 the Democratic Labour Party, who was then in the Opposition, tried to get an amendment before this House in order to insert an amount which we thought was more in keeping with what the position should be. The hon. senior member for St. Peter even agreed with us. These efforts were resisted successfully by the then majority

Party with the result that the benefits remained as they were. Our recommendations now include the demands of domestic servants, that they are entitled to benefits under the Act and the amounts to which they are entitled are set out in the sections of the Act itself on the basis of the categories in which they fall. The insurance premiums for domestic servants cannot be unduly high. We have as much in mind as hon. members who are on the opposite side; we have in mind the position of the middle-class workers who have to employ domestic servants to assist in the household and we are not going unduly to penalise them. 5.05 p.m.

At the same time, Sir, where apparently we differ is that we feel a domestic servant is entitled as of right to the same humanitarian consideration as any other type of worker; and if a factory worker, water front worker, joiner or carpenter is entitled to Workmen's Compensation, so is a domestic servant, and I do not think that the scale of benefits for this category of worker will involve his or her employer in the payment of any unduly high premium. We have had some slight intimation of what it is going to be, but I do not want to say what it is going to be, because it may serve as a yardstick for the insurance companies to fix their rates. In our opinion the estimate of what the premium will be is well within the reach of anybody in the Island who can employ a domestic servant.

On the question, Sir, of Government itself operating the insurance, the hon. member can rest assured that with our responsibility to the country and our obligation to find money to carry on the affairs of the country, nobody could welcome more than we do the possibility of deriving the profits obtained from insurance operation for the benefit of the country. We would love this; but as I point out earlier, to set up an insurance department by the Government to collect for this purpose is not an easy matter. We have got to bring in an expert first and foremost to work out the premiums; then we have to set up a department and start it, and the hon. member has had personal experience of how Governments operate. It is not a private firm; it is not his business or my business; and he knows in his heart of hearts that it is almost a question of absolute physical impossibility for this or any other Government to establish and have in operation an insurance company geared to the collection of insurance collectible under this Act within a reasonably short space of time.

Mr. WALCOTT: Mr. Speaker, on a point of order, I never suggested a short time. I said seven years was a long time to do it, and I said that with all due respect to the Hon. Minister he had nearly two years. He cannot say that is unreasonable.

Hon. W. A. CRAWFORD: The hon. member remembers some things and either completely or conveniently forgets others. The hon. member said we had two years, but we also had something else in our programme; and this programme included not only extending Workmen's Compensation benefits, but the introduction of a Social Security Scheme - and I will get to that later, because the question of whether or not we establish this insurance department for the collecting of insurance premiums under this Act hinges to a great extent on the expeditiousness with which we introduce the general Social Security Scheme. They are not two different things, because, as I will point out later, the question of Workmen's Compensation will eventually be absorbed under the general Social Security Scheme. It will operate on an entirely different basis. Workmen's Compensation does not operate on a contributory basis. A man employs a worker, insures him and in case of accident or death the insurance company pays. When your general Social Security Scheme starts to operate on a contributory basis with contributions by the employer, employee and the State, there is no question of any insurance company coming in at all; so that to go and establish the elaborate machinery for collecting insurance for one year and then scrap it does not make sense in our opinion.

Mr. WALCOTT: I am sorry if the hon. member had me wrong. I never suggested that you should scrap any machinery. I said that this becomes.....

Mr. SPEAKER: On what has the hon. senior member for St. Peter risen?

Mr. WALCOTT: The hon. member said that this machinery.....

Mr. SPEAKER: I heard what the hon. member said.

Mr. WALCOTT: I never said that you should scrap this machinery.

Mr. SPEAKER: Has the hon. member risen on a point of elucidation?

Mr. WALCOTT: Yes, Sir, I never suggested that you should scrap this machinery. What I said was that the hon. member's suggestion was putting the cart before the horse, that you now have a Workmen's Compensation Insurance Scheme in operation, and if the Government had this as an aided scheme, it would become the forerunner of your other scheme and that will become part of this. I did not suggest scrapping this for that because this is already in operation while that is in the embryonic stage.

Mr. SPEAKER: The point of elucidation is fully made.

Hon. W. A. CRAWFORD: The hon. member and I are not at cross purposes. I am referring specifically to the question of setting up an Insurance Department by the Government to collect insurance premiums collectible under the Act, and I repeat that it would be impracticable, expensive and inadvisable to set up this Department to collect this insurance, because when you merge your Workmen's Compensation Scheme with your general Social Security Scheme, this Department becomes superfluous. But the system of operation is different.

Mr. SPEAKER: The hon. member whom I cannot hear is the only member who is on his feet.

Hon. W. A. CRAWFORD: Mr. Speaker, the hon. senior member for Bridgetown and myself were again working on entirely different premises. The place to argue these things is not in Select Committee; it is on the floor of the House. Hon. members raised points during the time they made second reading speeches, and it is my duty to reply to them in detail, and that is what I am trying to do, if I am permitted. Who is going to be on the Select Committee? The same members of the House; therefore all the points you want clarified can be clarified in the House or when you go into Committee; so what on earth are we going into Select Committee for? We are not dumb in the House and deaf and dumb in Committee, and suddenly we can talk in Select Committee. Every single point which a member raises now, either I or some other member will try to answer. If I cannot answer, somebody else will.

Mr. MOTTLEY: On a point of elucidation.....

Mr. SPEAKER: The hon. member must elucidate something and not seek elucidation.

Mr. MOTTLEY: Your Honour is always willing to help people out on a point of elucidation. The hon. member said the points I had raised can be answered here. The question which we asked him to answer and which I thought he was going through his files to answer was the cost of present premiums today and the premiums which will be paid then. He said he could answer that now.

Mr. SPEAKER: The Hon. Leader of the House has given way and has heard the remarks of the hon. member.

Hon. W. A. CRAWFORD: Does the hon. member think I am operating an insurance company or something? I do not operate one, neither do I have any shares in one. Naturally, Sir, the insurance company will work this thing on an actuarial basis when the thing becomes law, and we will know what rates they will charge for insurance under the Act. I cannot sit here and tell him what it would cost to insure a worker after the Act becomes law, nor could I tell him exactly what it would cost to insure a domestic servant;

but I do want to allay the fears of hon. members with regard to fishermen. Apparently some hon. members think, as has been actually said, that anybody who gets into a fishing boat you have to insure. They have not read the Bill. The position of a fisherman is clearly set out. A fisherman, Sir, who is working on the basis of a share in the catch you do not have to insure at all.
5.15 p.m.

Mr. MOTTLEY: What is that?

Mr. SPEAKER: Let the Hon. Leader of the House proceed, or is he giving away?

Mr. MOTTLEY: Are you saying that you are not insuring fishermen at all?

Mr. WALCOTT: Sir, I rise on a point of order. I will read it for the hon. member.

"Workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour or otherwise, whether the contract was made before or after the commencement of this Act and whether such contract is expressed or implied, is oral or in writing, whether the remuneration is calculated by time or by work done, and whether by the day, week, month or with reference to any other period whatever; and also includes a person engaged in fishing on board any fishing vessel or fishing boat or in plying for hire with any vehicle or vessel the use of which is obtained by that person under any contract of bailment (other than a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise."

That is the definition for "Workman" and not for "fisherman". There is no definition for fisherman. I think what the hon. member should bear in mind is that there is no definition for "fisherman", but "workman".

Mr. SPEAKER: The point of order is made: let the Hon. Leader of the House proceed.

Hon. W. A. CRAWFORD: The operative phrase is under any contract of bailment". If a man is working under contract for wages, then of course, you have to insure him.

Mr. WALCOTT: You are wrong.

Hon. W. A. CRAWFORD: With regard to the question of domestic servants, I have explained that in full already, and when we go into Committee and get to the Clause dealing with fishermen, I will explain that more fully because I have the accurate information.

Finally, what I want to do is to refer to the question of Mr. Stockman and his Report in so far as Workmen's Compensation is concerned, because there has been a lot of confusion with regard to the Stockman Report and his proposals as regards Workmen's Compensation.

Mr. Stockman made it clear that when we introduced a general Social Security Scheme, provision should be made for including Industrial Injuries Benefits in the scheme.

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. I do not think the Hon. Minister should phrase that so at all. Mr. Stockman made the Statement in his Report; but you cannot come in introducing a Bill and say that Mr. Stockman said to you that you must do so-and-so because the Government is not bound to do what Mr. Stockman said. That is why I say that that has nothing to do with this Bill. The Workmen's Compensation Bill must stand on its own feet. If the Government's policy is to introduce a Social Security Scheme, that is the Government's policy. I told the hon. member already that this is our Social Security Scheme because we are doing it and I said that if the Government starts out - -

Mr. SPEAKER: May I remind the hon. senior member r St. Peter that he has already spoken?

Hon. W. A. CRAWFORD: Sir, I was speaking of the Government not taking up the insurance necessary under the Act. I pointed out that there were two reasons: (1) the inadvisability of setting up an insurance company for a short period, say, for a year; and, (2) in the general security scheme, the question of Industrial Injuries Benefits would be included in the Bill. I said that was what Mr. Stockman said. This was said because the hon. senior member for St. Peter was insisting that the Government should go ahead and collect this insurance ourselves. I told him that there was no justification for delaying this Bill in view of the fact that people were dying every day, and only entitled legally to the present benefits which they were entitled to receive under the Workmen's Compensation Act. There were three reasons which I said operated against the implementations of his suggestions. That was the entire bone of his argument for the two and a half hours which he spoke today. We regard it as impracticable and inadvisable at this stage.

Hon. E. W. BARROW: Mr. Speaker, it appears that whenever the Government has taken steps to implement the promises which it made to the people of this Island in 1961, when the Government comes into the House trying to do what the people expect them to do, the hon. member who has just sat down, who probably has had a longer dealing with this measure than any other hon. member, has a lot to say. I have the debates of 2nd June, 1942, when the then Hon. Attorney General, recently the hon. junior member for St. James, introduced the second reading of the Bill to provide for Workmen's Compensation. This measure was one of the hardy annuals of the day of Mr. Walton Walter Reece - like some of Your Honour's hardy annuals, Christmas Bonus, and Christmas Pay - which has now seen the light of legislation. In that Session, the Bill was passed but I think, it was thrown out by the Other Place. The 1942 Bill was brought before the House again in 1943 and amended and passed and in this respect Barbados was 50 years behind.

In the dining room to this Chamber there is hung a picture of Mr. Joseph Chamberlain. No one today can exactly state with any amount of precision the social or political philosophy of Mr. Joseph Chamberlain, but if Mr. Joseph Chamberlain is to be immortalised in the annals of Parliament, he must be respected as the father of Workmen's Compensation in the 1890's. He was also a champion of the Colonial Legislatures.
5.25 p.m.

In 1939 after we had the Disturbances, when the Commission was sitting to enquire into the cause of the Disturbances, it was brought to the attention of the Royal Commission that there was no Workmen's Compensation Law or Trade Union Law in any part of the West Indian territories. Trade Unions were illegal, and we were still suffering under the 1799 Combination Act of this Island; so that when there was the Workmen's Compensation Act in 1943, that was a remarkable step forward. Today we are witnessing not a step forward, but a leap forward. This is not a quantitative change in the amount awarded to workmen who suffered injuries in the course of their employment; this is a qualitative change. In the case of a man who is going to the rescue of another employee in the event of an emergency, such a person was never provided for before. All of these things have been tackled in the Bill which is currently being considered by the Members of the House. I therefore find it difficult to understand why, when it is clear that this Government was unswerving in its determination to implement a programme which has been put before the people in 1961, we should be criticised or abused by people who do not understand the sociological or economic or historical implications of Measures such as this.

In 1943, when the matter was being debated by this House, it is on record that the hon. senior member for St. Philip got up and asked why the Ontario system of Workmen's Compensation was not implemented. The late Mr. Michael Greaves opened his remarks by saying that he was placed at a tremendous disadvantage because he lived in a country where the Government operated the scheme;

that he was in favour of agricultural workers being included in the Bill at the time and he did not see why the Government did not implement the Ontario scheme. Mr. Greaves in June, 1943, remarked that he appreciated that the cost of the Ontario Scheme would be prohibitive in these days. The Government has not introduced the Ontario Scheme not because it would be prohibitive, but because the normal machinery of the Civil Service is not geared for the satisfactory establishment at short notice of a scheme which is similar to the Ontario Scheme.

Mr. Speaker, I think I have told hon. members before and I will set their minds at rest when I say that the Hon. Leader of the House, other hon. members of the Government and I are very much in favour of the Ontario Scheme whereby a Board is established, which not only collects the premiums and pays the compensation, but it goes in for services like rehabilitation. Under the Workmen's Compensation Act, the Board has its own hospital for the rehabilitation of people who have been injured during the course of their employment. The Permanent Secretary to the Ministry of Trade and I have spent an entire day in May this year discussing the Ontario Scheme, and they promised us that when we were ready to implement a scheme of administration which has been followed by all the other provinces in Canada, they would give us the complete documentation even to the matter of receipt books when the premiums are paid in. They have promised to give us four complete packages with the documentation for study of the Ontario Scheme of Workmen's Compensation. That is to show us the way in which the scheme is administered. Way back in 1955 I introduced a Bill to increase the benefits under the Workmen's Compensation Act. I was studying all the implications, on my own, of establishing the Ontario Scheme for the administration of Workmen's Compensation. When I attempted to move the second reading of the Bill on the floor of this House, the hon. junior member for St. Peter, when I was making my introductory remarks - Mr. Speaker, I remember this with a great amount of pain and surprise. The hon. junior member for St. Peter was Speaker of the House and there was a theory then among the hierarchy that no backbencher was to be allowed to get up and introduce any measure which would be for the alleviation of the poor and suffering in Barbados. God had endowed them with all the wisdom, and anyone who introduced anything of that nature would be a challenge to the supremacy of the hierarchy of the Barbados Labour Party. The Leader of the Barbados Labour Party got up from the place where the hon. junior member for Christ Church is now sitting and went over to the Speaker; I must say that I am glad that we now have Speakers who understand constitutional proprieties and who have a sense of decency. I am sorry that the hon. junior member for St. Peter is not now in his place.

Mr. Speaker, I feel as good today as Mr. Ernest Bevin felt in 1946 when he had repealed the iniquitous provisions of the 1946 Trade Union Act. That is why I said that I must speak on this matter. The Hon. Minister of Trade has introduced it and he has given me the privilege of winding up the debate on the part of the Government. I think that a great injustice was done to the people of this Island because these Measures should have been on the Statute Book since 1955. I had too much respect for Party discipline and that is why these Measures were not there. I was convinced that these people were only interested in creating their own political image and had no socialist concept about the improvement of the conditions of the people of Barbados; they were the most corrupt and wicked bunch of people with whom I ever had the misfortune to be associated. When I got up on the floor of this House -- I may say that I went to the neighbouring territory of Antigua.....

(At this stage the amplifying equipment became defective.)

Hon. E. W. BARROW: I know that the gentleman in charge of this amplifying equipment may not like what I am saying now because he is an employee of the House.
5.35 p.m.

I am going to hold my peace until I can be heard. In Antigua at that time there was a total Government revenue

of less than \$2 million, and in that same year the surplus of taxation which was sent overseas to be invested from Barbados was more than \$2 million. The Government of Antigua with my assistance redrafted the Workmen's Compensation Act to give compensation of up to \$5,000 and \$6,000 respectively, whereas the figures in Barbados were \$1,800 and \$2,520. On my return after the successful negotiation of the Bill in the Antigua Legislature the week before, I came back to move the second reading of my speech. The then Speaker - and I am going to call names today because I have it in writing - after consultation with the Leader of his Party, the man who broke up the West Indian nation and the West Indian Federation, said that I was out of order because this was a Private Members' Bill and it was a Bill which would impose a charge on the Treasury. He did not say it then; he adjourned it for consideration. He prevented me from speaking any further on it and from getting this Bill through. He adjourned it without giving a decision and came back a week or two later and said that in his opinion this was a Bill which created a charge on the Treasury. I am not asking you to make any ruling on this today, because I have been holding back information which I am going to divulge right now. I immediately wrote up to the Fourth Clerk at the Table of the House of Commons in the United Kingdom and told him exactly what had happened down here in the Legislature of Barbados, that I was a private member of the House, and that the Government of Barbados had never spent one penny to insure any of its employees. The Government has never insured any of the Public Works employees, so there was no question of the Government of Barbados' money or funds being involved at all, no more than when I get up here to speak as a private member, the Reporter has to write down something and he is being paid out of the Treasury. You can say that any private member speaking is a charge on the Treasury, because you have to equate the time that the Reporter has spent on his speech, and that is a charge on the Treasury; but if you want to be as abstruse as all that, you can be.

Mr. Speaker, I wrote to the Fourth Clerk and his name is Mr. Lidderdale, and the Clerk can correct me if I am wrong. I have the letter in my possession at the office. Mr. Lidderdale wrote back and told me that in the House of Commons it was quite within the competence of a member of the House of Commons to bring a Bill of this kind, and he saw nothing in the Bill which by any stretch of the imagination could be described as a charge on the Treasury of the Island. That is why the people of Barbados did not have this Bill eight years ago in 1955 in the prime of my youth. I am not in my old age and, thank God, it is going to pass whether or not members on the other side like it. That is the depth of corruption to which the Government of this country had sunk. They were conducting politics on the basis of personalities, and they were prepared to see workmen at Lower Estate fall down and die and their dependants get nothing at all or \$1,800. You and I have worked in the Courts, and we know that due to the efforts of some of us the Juries nowadays in civil cases tend to put a higher value upon human life in Fatal Accident cases which come to their attention than they did in the days under the revelling of the other two Parties who have been presiding over the destinies of this country. You will find today, Sir, that the average person who meets with a fatal accident and liability is attributed to the motorists, invariably damages are in five figures. Nobody talks about the full accident benefit of \$1,800. That is all they get for a broken leg.

I remember the very first accident case I did the damages awarded were over \$14,000 for a lady who had suffered a broken leg, and that is what set me thinking. Why is it that a workman's life is valued at \$1,800 by the Barbados Labour Party? I could not persuade the Leader of that Party to make any amendment to the Workmen's Compensation Act, because I could only come to the conclusion that they felt that they would be offending the average employer or the insurance company. I have spoken about insurance companies already. I think they are extremely uncooperative, and I have warned them that this Government is going to move against them. I am not concealing that because what is going on in Barbados today is a form of

robbery with violence. I am saying here and now on the floor of this House that I do not share the views of the hon. senior member for St. Peter that from Workmen's Compensation a great amount of money is going out. That is not the form of insurance, because the premiums are remarkably low. People might think you pay \$50 or \$60 a year for a workman, but that is nonsense. For an agricultural worker it would be \$2.87 for a whole year. Do you want to tell me that an employer cannot pay that?

Mr. WALCOTT: The hon. member did not hear what I said; so he cannot say he does not agree.

Mr. SPEAKER: Has the hon. member risen on a point of elucidation or explanation?

Mr. WALCOTT: The hon. member has quoted me, but he was not in the House when I spoke.

Hon. E. W. BARROW: I heard what the hon. member said the last time I was in the House.

Mr. WALCOTT: I do not know when that was, but what I said today is that 12% of the premiums paid in Barbados is what was paid out in 1961 for injury suffered and paid through the Courts, and if you add 100%, it is only \$2,400. If you take that figure from the amount of money collected, then you know how much is going out. That is what I have chapter and verse to prove that people are collecting a lot of money as compared with what they are paying out, and I challenge any insurance company in Barbados to say that it is paying out anything approximating to 40% of the total amount of premiums collected.

Hon. E. W. BARROW: I would very much like the hon. member to tell me what page in the Report that is on, because when I was doing my investigation way back in 1955-56 from the register of the Chief Clerk in the Assistant Court of Appeal, the average amount of compensation paid out on a three-year average was something like between \$93,000 and \$98,000. It may be that these were exceptional years. I myself have said that the whole business of insurance - and I have said so repeatedly in Barbados - needs investigating, and I have made statements to the effect on my recent visit to Canada that most of the insurance companies are Canadian Companies.

I do not see, Sir, why the workers of Barbados, fishermen, domestic servants and other people like that should be held up by Select Committee or any other device that the Conservative Party can think of or some other group of persons, perhaps misguided, maybe in the interest of the workers. They may think they are doing them a favour by making the scheme a Government scheme at this stage. It is going to take some months to work out insurance details and premiums.
5.45 p.m.

The insurance companies in Barbados have been extremely unco-operative in supplying the Ministry of Labour with any kind of information whatsoever and the only person who has anything to lose is Government because the premiums will have to be deducted from income tax; but if the insurance companies make the premiums too high, they will find themselves out of business.

Now, Sir, the tariffs are confidential and the most important item which has to be paid out for the insurance of a worker is very, very small compared with other forms of insurance, because you are insuring a very large number of people and the number of accidental deaths or accidents requiring compensation, because we are not an industrial community, is reasonably very low.

The hon. senior member for St. Peter has quoted the amount of compensation paid into Court as \$12,531.34. I am not sure that this amount relates to every single accident which occurred because some of the compensation is paid directly to the worker. My impression of the total amount of compensation paid out is probably in the vicinity of \$100,000.

I agree with the hon. members in this House who said that if we are entering into independence, we should prepare for it. You will see that we are preparing the Civil Servants with this exercise because we have to condition them just as you are preparing any person who is going on a long journey. They have to be conditioned in the same way as a cosmonaut has to be prepared before going into orbit around the earth. We are not waiting; we have started and the External Department will soon be in operation. If you are to enter into independence, it is not only the Civil Servants who have to be geared to do things for the country but the private sector of the colony as well - the individual businessman. He too would have to learn to take over these functions which are now performed by foreign companies to the detriment of the colony.

I agree with the hon. senior member for St. Peter that every penny which is put into an insurance company - and there are all overseas companies, only one local company - it is absolutely necessary that we have local companies collecting these savings or deferred payments and investing them back into the Island rather than to have foreign companies collecting them and building up the economy of countries outside. Today we are witnessing something, which is both in kind qualitatively and quantitatively, revolutionary in the field of industrial relations.

In 1946, the Labour Government in England introduced a National Insurance Industrial Injuries Scheme and a Personal Injuries Scheme, and they repealed the Workmen's Compensation Acts under which we are still guided in so far as our decisions are concerned. There is no more Workmen's Compensation in the United Kingdom. The National Insurance Act, the Industrial Injuries, the Personal Injuries, the Family Insurance and other schemes are made provision for in what is now described as the Welfare Scheme, and in the case of unemployment, widows and orphans, and so on, those benefits are provided for under the National Insurance Act, 1944; so they have abolished the doctrine of common employment. We are bringing in a Bill in which we are abolishing a lot of the iniquitous common doctrines which we inherited from the United Kingdom, the doctrine of common employment, the doctrine of *omnia personale moritur cum persona*. So the two Bills have to be regarded alongside of each other. With the doctrine of common employment now, if a workman suffers injury or loses his life as a result of negligence or suffers injuries if he volunteers to work alongside another man, the employer is not liable. We had this Labour Code from 1948, as you will remember, in the legislative processes of the country, and not the slightest attempt was made to abolish the doctrine of *omnia personale moritur cum persona*. Now all these doctrines which the eighteenth century Tories in the United Kingdom employed against the working class are being swept away; therefore, that is why today we are witnessing something which is in the nature of a revolution in our industrial legislation.

This is the new concept. It is a concept that the worker is worth just as much as any person in the community, and we have put that in our Manifesto in 1961 when we said that we would increase the benefits from \$1,800 in the case of death and \$2,000 in the case of permanent total disablement to what we have now in this Bill. I think it was \$1,600 in 1956. We say now that a worker must not be restricted to a man working for less than \$30 a week; the definition of the worker must not be restricted to a man working for \$100 a month because we have factory workers who get that kind of money a week in crop time. There are many workers in factories who get \$100 a week now, and if they fall down in the tayche or get caught in the fly wheel of a machine, they would not be entitled to any kind of compensation because they are not supposed to be workers. We have now increased the entitlement to persons working up to \$4,800 per annum and the reason why you do not make the sky the limit in an operation of this kind is because when you look at the whole wage structure of the economy and then you take into consideration the fact that a person working for more than a certain amount of money can easily on his own take out private insurance, you will realise that the few workers who would be outside of the particular limit for entitlement would be so few in number that no great injustice would happen to the public or the body of workers on the whole if they happen accidentally to be excluded.

By increasing this, it is possible that the actuary's exercise of working out the compensation would be further complicated for the sake of six or seven workers. That is the basic philosophy behind the amendments which the Hon. senior member for St. Philip has introduced today.

Sir, I do not see any reason for this Bill being sent to Select Committee. I think I am the only person who has put himself out of the way and given up 24 hours of the day or 12 hours in the night, whichever you may choose to say, to go through all the ramifications of the Ontario administration dealing with this matter.
5.55 p.m.

This is something which I took a great interest in, not for Election purposes; this is something which I have been trying to get remedied from 1954 or 1955. This is something to which the whole Barbados Democratic Labour Party committed itself in its Election programme in 1961 because we could not succeed in making the Government Party at that time agree to a valuation of more than \$1,800 in the case of fatal accidents occurring to persons.

Mr. Speaker, we have agreed to an increase of 75% of the earnings instead of an increase of 50%. If a worker went home ill, under the old arrangement he would only get 50% of his earnings, but under this Bill he will get 75% and also the period over which it is spread has been extended considerably. There are other amendments in this Bill such as medical, surgical and dental treatment; the employer has to move up to \$250 for these things whereas he supplied nothing before. All that is, in itself, a complete scheme of security for all the working people in this island. A number of 20,000 workers who have been excluded by the last Government have now been brought in. The fishermen, those people who go down to the sea in ships, will see the work of the Democratic Labour Party. I do not care what they charge me in order to insure the people who assist me in my household; it is highly improbable that any serious accidents will take place in every household; but nowadays we have found that there are these contraptions - Mr. Speaker, I do not want to name any kind of stove, but a relative of mine nearly got blown up by one of these stoves and she got no redress or no new dress.

Mr. Speaker, which employer would not safeguard himself or herself against having to pay damages in court in case of injury occurring to an employee? The difference between Workmen's Compensation and Third Party Insurance is that in the case of Third Party Insurance, the premiums are considerably higher and that insurance is only an indemnity. You have to establish liability on the other party before you can recover third party insurance. A person who has been injured does not automatically get compensation; he has to get the other people to agree that they are liable for the accident or, on the other hand, he has to file a case in Court, get damages awarded and then go against the driver of the motor vehicle or the insurance company in order to recover his compensation. Under this present Act, compensation is automatic to a greater degree than it was before. There have been a long list of decisions in the courts not only in the United Kingdom but also in Barbados in which success or failure depended upon the worker establishing that the accident in which he became involved arose out of and during the course of his employment. In this case the onus is shifted to prove that the accident did not happen during the course of the employment in which the workman was injured. As I say, Sir, this is not merely a change in magnitude; this is a qualitative revolution in our thinking about industrial legislation and the rights of workers and the liabilities of employers in a modern age.

Mr. Speaker, I do not want to go into the details of the Bill because I have only highlighted a short historical background in the United Kingdom Parliament under Mr. Joseph Chamberlain, the efforts of Mr. Walter Reece to whom we must pay tribute and the efforts of the Hon. Minister of Labour as far as the year 1942 in order to show that they had some kind of sense in this matter; and also the efforts of all the other people who have been behind this reform to the eternal shame of those who have obstructed progress in this country and who ought to be ushered out of the country ignominiously and without any laurels. Speaking

as a Barbadian, I say, as General Smuts has said that the people in this country have the patience of jackasses. When I see people who have been obstructionists, who have impeded the progress of this country and who have been vindictive and self-seeking and who have not been chased out of the country, that is where I find myself agreeing with General Smuts that the people of this country have the patience of jackasses. When we allow people like them still to continue to live in the country when they have wrecked things in the country, that is a degree of tolerance which far surpasses all human understanding. This community should not have any room for people like Dr. Malan, Dr. Verwoerd. This is the social apartheid which has been practised on the unthinking people of this island.

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

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

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

Mr. GODDARD: Mr. Speaker, I beg to move that this Bill be referred to a Select Committee.

Mr. SEALEY: I beg to second that.

The question that this Bill be now referred to a Select Committee was put and resolved in the negative.

A division was taken as follows:—

AYES: Messrs. WALCOTT; HOLDER; SMITH, SEALEY and GODDARD — 5.

NOES: Mr. BATSON; Honourables E. W. BARROW; W. A. CRAWFORD; G. G. FERGUSON; A. DaC. EDWARDS; J. C. TUDOR; Messrs. WEEKES; LOWE; YEARWOOD and BOXILL — 10.

Mr. SPEAKER: The question has been resolved in the negative, five hon. members voting "Aye" and ten hon. members voting "No". I now declare that the "Noes" have it.
6.05 p.m.

The question that Mr. SPEAKER do now leave the Chair and the House go into Committee on the Bill, was put and resolved in the affirmative without division and 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. It reads as follows:—

2. (1) In this Act unless it is otherwise provided or the context otherwise requires —

"adult" and "minor" mean respectively a person who is not and a person who is, under the age of seventeen years;

"compensation" means compensation as provided for by this Act;

"dependants" means —

(a) such of the following persons as were wholly or in part dependent upon the earnings of the workman at the time of his death, or would but for the incapacity due to the accident have been so dependent —

- (i) a member of the workman's family,
- (ii) an illegitimate child or grandchild of the workman,
- (iii) a parent or grandparent of whom the workman is an illegitimate child or grand child; and

(b) any person other than a person referred to in paragraph (a) of this definition who proves to the satisfaction of a Judge that he was wholly or in part dependent upon the earnings of the workman at the time of his death, or would but for the incapacity due to the accident have been so dependent:

Provided that a person shall not be deemed to be in part dependent upon the earnings of a workman unless such person was dependent partially on contributions from the workman for the provision of the ordinary necessities of life suitable for persons in his class and position.

"employer" includes Her Majesty in Her Government of this Island, a Council established under the Local Government Act, 1958, and any body of persons whether incorporated or not and any managing agent of an employer and the legal representative of a deceased employer, and, where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the workman whilst he is working for that other person;

"insurer" means a person who is licenced as an insurer under this Act;

"managing agent" means any person appointed or acting as the representative of another person for the purpose of carrying on such other person's trade or business, but does not include an individual manager subordinate to an employer;

"member of a family" means wife or husband, father, mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister;

"Minister" means the Minister charged with the responsibility for the subject of Labour;

"outworker" means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale in his own home or on other premises not under the control or management of the person who gave out the materials or articles;

"partial disablement" means where the disablement is of a temporary nature, such disablement as reduces the earning capacity of a workman in any employment in which he was engaged at the time of the accident resulting in the disablement, and, where the disablement is of a permanent nature, such disablement as reduces his earning capacity in every employment which he was capable of undertaking at that time: Provided that every injury specified in the Second Schedule shall be deemed to result in permanent partial disablement;

"registered" used with reference to a medical practitioner means registered under the provisions of the Medical Registration Act, 1911, or any Act amending or substituted for the same;

"Registrar" means the Registrar of the Supreme Court;

"scheduled disease" means any occupational disease specified in the First Schedule;

"total disablement" means such disablement, whether of a temporary or permanent nature, as incapacitates a workman for all work which he

was capable of performing at the time of the accident resulting in such disablement; Provided that permanent total disablement shall be deemed to result from the permanent total loss of the sight of both eyes or from any combination of injuries specified in the Second Schedule where the aggregate percentage of the loss of earning capacity, as specified in that Schedule against those injuries, amounts to one hundred per centum;

"wages" includes any privilege or benefit which is capable of being estimated in money, other than a travelling allowance or the value of any travelling concession or contribution paid by the employer of a workman towards any pension or provident fund or a sum paid to a workman to cover any special expenses entailed on him by the nature of his employment;

"workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour or otherwise, whether the contract was made before or after the commencement of this Act and whether such contract is expressed or implied, is oral or in writing, whether the remuneration is calculated by time or by work done, and whether by the day, week, month or with reference to any other period whatever; and also includes a person engaged in fishing on board any fishing vessel or fishing boat or in plying for hire with any vehicle or vessel the use of which is obtained by that person under any contract of bailment (other than a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise:

Provided that the following persons shall not be regarded as workmen for the purposes of this Act —

- (a) Persons employed otherwise than by way of manual labour whose remuneration exceeds four thousand eight hundred dollars a year;
- (b) persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employer's trade or business not being persons employed for the purpose of any game or recreation and engaged or paid through a club;
- (c) outworkers;
- (d) members of the employer's family dwelling in his house;
- (e) persons in the civil employment of Her Majesty otherwise than in Her Government of this Island;
- (f) persons in the naval, military or air forces of the Crown;
- (g) members of the Barbados Police Force.

(2) Any reference to a workman who has been injured shall, where the workman is dead include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable.

(3) The exercise and performance of the powers and duties of a local or other public authority or of any department of the Government shall, for the purpose of this Act, unless a contrary intention appears, be deemed to be the trade or business of such authority or department.

(4) If any proceedings for the recovery of compensation under this Act it appears to the Judge by whom the claim to compensation is to be settled that the contract of service or apprenticeship under which the injured person was working at the time when the accident causing the injury happened was illegal, he may, if having regard to all the circumstances of the case he thinks proper so to do, deal with the matter as if the injured person had at the time aforesaid been a person working under a valid contract of service or apprenticeship.

(5) A reference in this Act to a section, Part or Schedule shall, unless the contrary intention appears, be read as a reference to a section, Part or Schedule of this Act, and a reference to a subsection shall, unless the contrary intention appears, be read as a reference to a subsection of the section in which the reference occurs.

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

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

Mr. WALCOTT: Mr. Chairman, the hon. member skimmed over the definitions and said he was going to explain when he came to fishermen. I would say that I do not agree with all the Premier said. I am not here to prompt for any other Government, but I think it is correct to say that a lot of the changes we are putting in this Bill now are changes that were agreed upon before this Government took office. I think that the reason why you did not consult people is because agreement was reached on some of these things by the last Government, though they did not implement them; so I would not like it to go down that nobody else had agreed to these things. The amount of \$4,800 was agreed upon before and much of what appears in the L.L.O. Report has been the basis of this documentation. This Bill says what a workman is, but it does not say what a fisherman is. In the definition a "workman" is as follows:—

"Workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour or otherwise, whether the contract was made before or after the commencement of this Act and whether such contract is expressed or implied, is oral or in writing, whether the remuneration is calculated by time or by work done, and whether by the day, week, month or with reference to any other period whatever; and also includes a person engaged in fishing on board a fishing vessel or fishing boat or in plying for hire with any vehicle or vessel the use of which is obtained by that person under any contract of bailment (other than a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise:

That takes care of a fisherman when he shares in the money. If I own a fishing boat, I do not really employ another man, but we both go fishing together. What provision am I to make for the man if I am the owner and he works with me? Who is the person to carry the insurance for these men? You should discuss this with people in the business; otherwise you would be entering a business that is run like a cooperative and injecting an employer-employee attitude when the employer attitude does not exist. This is an inheritance you have found. A fisherman is not a wage earner *per se*; he does not work for anybody's wages, nor can you say what is going to be his weekly earnings. You can only decide that he catches so much fish and shares with the owner. This is the only industry where the worker shares with the employer on an equal basis. This does not protect fishermen, and as I said, I will deal with the part about clubs when I come to it, because the proviso reads as follows:—

Provided that the following persons shall not be regarded as workmen for the purposes of this Act —

- (a) persons employed otherwise than by way of manual labour whose remuneration exceeds four thousand eight hundred dollars a year;
- (b) persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employer's trade or business not being persons employed for the purpose of any game or recreation and engaged or paid through a club;
- (c) outworkers;

What really do you mean by that? Do you mean that if a man is working with the Turf Club and a horse kicks him in his stomach, that he should be in a lesser position work-

ing for the Turf Club because it is a Club? Or would this apply to "Jimmy" if he got his big toe cut off at Pickwick? You will have on the Statute Book that a person would insure Pickwick Club but not a man who is working with the Club which is a recreation Club. It is not a domino club that does not matter, and that is why I say you are excluding a lot of people by this. All these cricket clubs employ people, and I believe that 'Son' lost his eye as a groundsman in the Park, because when I first knew him, he had both. Should this groundsman be excluded?

Hon. E. W. BARROW: I should explain to the hon. member that it is the opposite. If he looks at page 5, he will see 'provided that the following persons shall not be regarded as workmen for the purpose of this Act - (b) persons whose employment is of a casual nature and who are employed otherwise than for the purpose of the employers trade or business.' If he puts a full stop there those are the people who are not considered as workmen. Then it goes on to say 'not being persons employed for the purpose of any gain or recreation and engaged or paid through a club.' Those people are workmen. People who are not employed in trade or business and whose employment is of a casual nature are not regarded as workmen; so if you asked someone to go down the road and buy a gallon of kerosene oil for you and your business is not buying and selling kerosene oil, that person is not a worker although you pay him for any errand he runs for you on a casual basis.

6.15 p.m.

But if the club is doing it, that person is a workman. If the hon. member looks at it closely, he will see what I mean.

Mr. WALCOTT: I thank you very much because on reading this Clause, it gave me the impression as if they were excluding those people. I know this word "casual" has caused a lot of peculiar court interpretations in this country. I know here that people who are employed casually are not entitled to pay and you will find some decisions in Court which excludes them. It is just like what the Hon. Premier said. Some people call on a workman to put on a bundle of shingles and that is a casual job for them.

Hon. E. W. BARROW: I will give the hon. member another example. An employer may have a shop and he may have a contract or an agreement with somebody to bring a drum of water two or three times a week at his premises. That person is not a workman. But the person who is sending for the water may have a shop. If the water is for the shop, he is a workman. If it is for his house, he is not a workman.

Mr. WALCOTT: I raised that question because, as I have said, there have been a lot of interpretations, and as the Hon. Premier said, it is how you interpret these things, because there seems to be no clear definition as to what they call "casual". They take a lot of case law. I was a bit worried about that because in case you had someone working for you and something happened, you would like to know your position. I have examined this matter and that is why I insist and contend that my view about the Government taking up this insurance is more suitable to the exigencies of the Barbadian.

Now, as regards fishermen, I can foresee if you do not have some clear explanation as to how you are going to regard fishermen in this Bill that you are going to have some trouble. What you are suggesting for all practical purposes is that fishermen are workmen. You are saying that a man who owns a boat operates as a workman in that boat and I would like to have a system like this studied more carefully; if not, you are going to have fishermen in your neck. I do not know if what you have done is sensible.

Mr. MOTTLEY: Mr. Chairman, the Hon. Leader of the House will appreciate the fact that he can get from a knowledgeable person, the Hon. Minister of Communications and Works, information dealing with this Section as regards fishermen. I am somewhat worried about this particular Section. You are quite aware that we support this Section

strongly because we believe that it is one of the sections which the Government would like to have in the Bill so as to protect fishermen. What I do not understand is that there is an ancient custom among fishermen to work in shares, but by the limited interpretation which we have here, it seems to me that a fisherman would not be covered. I will really like this explained. It is within my knowledge that the majority of fishermen who go out fishing are not boat owners and that those who go fishing actually share in the catch.

Sir, you will appreciate the fact that we have got to make it abundantly clear to fishermen and make it so clear that there would be no doubt in their minds if they go out and make a catch of three baskets of fish. You know that that is shared one-third for this man, one-third for the boat and the other third for the fishermen. The majority of fishermen work on that basis. It is expected of us, especially those of us who have fishermen in our constituency, to explain this matter clearly to them, and we would have to answer this question. The Hon. Minister will therefore have to tell me what is really the position with them. I really do not understand this.

Mr. WALCOTT: How do you mean that you really do not understand this?

Mr. MOTTLEY: According to this, you cannot distinguish an employer from a fisherman and you are taking one and saying that he is an employer. As you know, a fisherman does not work by week nor is he paid a salary, nor is he on contract. You still say that any man who goes fishing is a workman. You give him the definition of "workman" under the Act.

"Workman" means "..... 'includes a person engaged in fishing on board any fishing vessel or fishing boat or in plying for hire with any vehicle or vessel the use of which is obtained by that person under any contract of bailment (other than a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise,'"

6.25 p.m.

Mr. Chairman, if you are working for a share in a boat, then you are a workman. If you exclude them will you deal with them in a special way? For instance, Mr. Ramsay who was working at the Agricultural Department, is the owner of a fishing boat, but he does not go out fishing. What is the point of doing something when you have not got the ears of the people? Where is the Bill coming from? A man goes out fishing and the next thing you know is that that man has gone over board! If anything happens to a man it is presumed to have happened during the course of his employment; therefore you are putting a man in the position of saying that he lost his life as a result of fishing. Who is coming back in the case of a fishing boat being overturned, to give evidence to the effect that a man jumped overboard and did not come back? You have to prove something to the contrary and where are you going to get the evidence? I am submitting that a provision like this would be administered in the breach because it would be ignored. People just go on as they are going on and if anything happens what are you going to take away from anybody? We suggested that you should have consultation with the persons concerned and let them reach agreement with you. There is no objection to having these people covered, but how are you going to cover them? From the fund, from the Fisheries Department or what? I say that when you are leaving this matter open, you are opening your fishing industry to unnecessary problems which could be avoided.

Mr. Chairman, I am never ashamed.....

Hon. E. W. BARROW: Mr. Chairman, if the hon. member would give way, in most of these Workmen's Compensation Schemes - let us take the plantations; they may employ 200 people on any one day, but they do not necessarily carry compensation for each individual one of those 200 persons. They carry a group policy; they will take the maximum number of persons who are working together, who may be in the immediate area of an accident. They insure

about 30 or 40 people at one time. You do not have to point out the individual persons when you go to fish; the owner of a fishing boat can take out a group insurance for the maximum number of people whom he would be carrying out. He would take out a premium for the maximum number of the crew that he would be expected to carry at one time. Where he would find himself in difficulty is if he took out an additional number and he loses some of them. Every fisherman would only take out some of his crew. Sometimes you may find that there is a man who went out to a dance on the night before and you have to carry another fellow.

Mr. Chairman, I had never thought that the Trade Union Leader would object to this because you work on a catch-sharing basis rather than a fixed sum of money. If we do not include the business of sharing it means that every individual owner can contract out by refusing to pay on the catch-sharing basis. That is why that is included in the Interpretation Clause in this way. In order to follow the suggestion of the hon. member you would have to go around to every village and hold meetings with people who are the least qualified to talk about insurance, to talk with the Government. A Government has to work from in front and not from behind; we have to set the pace and think of the people and of what may happen.

Mr. MOTTLEY: Mr. Chairman, I am never ashamed to plead ignorance of anything which I do not understand. I am asking the hon. member to read this part of the Section which says: "and also includes a person engaged in fishing on board any fishing vessel or fishing boat or in plying for hire with any vehicle or vessel...." Let us take the average fisherman here; the Hon. Premier is absolutely correct in saying that you take out a group insurance. You insure three men to go on your boat. Everybody knows that at some time or other the engine of the boat will go bad and two or three men will go on this vessel or boat where the owner has taken out insurance to cover three men; and these other people will be engaged in fishing. That is where I agree with the hon. senior member for St. Peter. You insure the captain and two men on your vessel; they are fully insured; but "Dick's" boat is down and he says: "Carry me out and let me get a little pick." Mr. Chairman, this happens every day; it happens every minute, every hour of the day. If this man is not engaged in fishing, is he engaged in firing dice?

6.35 p.m.

The reason why I say that is because people feel you must not go to a fisherman or meet them because they do not understand industrialisation. I am sorry the Hon. Premier is not here; but let me tell you that there are some men in this country who invest in the fishing industry and understand industrialisation as thoroughly as any one of us around this Table, because they understand working hard for money and know how to invest it. If you have three men insured on your boat and another man asks you to carry him out, what is he engaged in? Of course he is engaged in fishing; but according to this he is not insured. If the Leader of the House was a judge, he would be bound to say I am right. He would be entitled because this says clearly "also includes a person engaged in fishing on board any fishing vessel or fishing boat." The importance of this Bill is to protect a group of people on whom you depend in this country for a lot of your food. They go out and work hard, and many days and weeks they catch nothing. I have had to come in contact with their families, and seldom after the fishing season is over can you find the children of fishermen with anything. These people come from next door to the Minister of Education and he sees them daily; they do not live in the country particularly. They migrate from all over the country and come to town eventually for many reasons, because the majority of boats are in Bridgetown. (Hon. W. A. CRAWFORD: To be near the Mayor of Bridgetown.) Some of your people will say I carry away the money, but I will deal with them in glorious style when I am ready. No man who attacks my personal character has ever got away yet. You can do me all you like in politics, but do not worry to make those asides.

I conscientiously feel, Mr. Chairman, that it is the intention and desire of the Government to help fishermen, be-

cause very often a person comes to me and says she is the widow of so-and-so. Only yesterday I had one. You know, fishermen like shark soup, and they get a lot of children; and only yesterday a woman came to me and told me she was the mother of children of the man who got drowned. You know the case in which one was lost in a boat, and rumour had it that there was some foul play. The Minister of Communications with his sound knowledge of this business investigated and was able to give the public some information on this matter. Do not get pigheaded because the Solicitor General drafted this. If you know it is wrong, admit that it is. This will not help fishermen, because if you read the section through and through it says: "workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour or otherwise, whether the contract was made before or after the commencement of this Act and whether such contract is expressed or implied is oral or in writing, whether the remuneration is calculated by time or by work done, and whether by the day, week, month or with reference to any other period whatever; and also includes a person engaged in fishing on board any fishing vessel or fishing boat."

A man with a fishing boat will only cover three people to that boat. No man is going to take insurance on six people to a boat when he knows that only three are needed. Perhaps the Minister can tell me how many are insured on the Investigator. The normal thing is to insure three or four to a boat, but it is customary for other fishermen out of work to ask to be carried out. If you only have four insured, what is the position? I would like the Minister to explain that.

Mr. WALCOTT: Mr. Chairman, I think sometimes we spend too long on some of these things. There is no explanation because the Minister told me what I was saying was not what he understood it to be. Dealing with the part raised by the Leader of the Opposition, if a man jumps on a boat, you would not call that a contract. If the man employs you it is a contract, because the contract is either oral in writing or implied.

Mr. MOTTLEY: On a point of order.....

Mr. WALCOTT: There cannot be a point of order if you want to reply.

Mr. MOTTLEY: Let the hon. member read from where it says "and also includes a person engaged in fishing on board any fishing vessel."

Mr. WALCOTT: You cannot start from the middle. That only explains what a workman is, but you have to start from the top. It says that "workman" means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour or otherwise, whether the contract was made before or after the commencement of this Act and whether such contract is expressed or implied, is oral or in writing." You cannot walk into a building and put yourself to work if the foreman does not employ you. Then this goes on to say "and also includes a person engaged in fishing on board any fishing vessel." You cannot regard jumping on a man's boat as being engaged. Do you mean that if I jumped on the "Queen Mary" I am engaged? If I held on to the propeller and it spins and minces me up, it does not mean I was engaged. You are not engaged in fishing by jumping on the man's boat and he does not know you are there.

6.45 p.m.

What is implied? What have you said is implied? If what you say is that if a man is pushing off a boat and you see a man on the beach and he says to you: "I am going out with you", and you accept him, it is his responsibility. But it is not as loose as you have put it. The Hon. Premier talked as if we do not understand.

Mr. MOTTLEY: That is exactly what I was saying. That is the practice now.

Mr. WALCOTT: I wonder if the Hon. Premier really understands the position. Does he think that because we

have 100,000 workers in Barbados, that 100,000 persons are insured? It is commonsense. If you are employing so many work people, an insurance company would give you a coverage for a certain percentage of the number of people whom you have employed; so it is understood that if every person whom you have employed got hurt at the same time, you will be hit because you will have to pay some of the compensation out of your own pocket. Apart from the insurance companies, the employers have a liability over and above what the insurance is. If you had six men working with you and two were only covered with insurance, if all six men died, as a result of an accident, you will have to pay compensation to the other four. You say that it is illegal for a person not to carry an insurance policy for all the employees, but that does not answer our point.

I have heard the Hon. Premier saying that he has put in 24 hours a day work on this Bill. I have put in more work on this Bill than members of the Government. For six years, I have given study to this matter and half of the things which you have made provision for in this Bill have been the result of my study on them. If I wanted to play politics, I could play as good as anybody else. As regards the fishermen, you have not answered our question. It is a question of 'which fisherman is engaged in fishing.' What point have you to know that insurance for fishermen is an unworkable thing to the people concerned? I ask that because in the end you may do something to ruin the whole business. Do not think that we are dealing with a trawler fleet. What we are dealing with is a man going out to fish in an ordinary little boat. I think that you should find out the best means of carrying out this legislation. Do not think of fishing here as a man who is fishing in England.

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

Mr. MOTTLEY: Oh, no, you cannot put that question yet: I have asked a question.

Hon. W. A. CRAWFORD: What is the question?

Mr. MOTTLEY: You say that "workman" also includes a person engaged in fishing. I said that the Hon. Minister of Communications has a lot of experience in this matter and you can call on him. Now, if you have three persons insured, the fact that the captain or the skipper accepts a person to come aboard your boat and he is engaged in fishing and something happens, what is the answer there? That is something which people in my constituency would be coming to me and asking me something about. And it is not quite clear to me. I am asking what is the position with that man.

Hon. W. A. CRAWFORD: Mr. Chairman, I cannot understand what the hon. member is labouring under. If the man has only three insurance policies, he cannot carry the fourth person except at his own risk. If the man knows he has insurance for three people on the boat and the fourth person comes, it is his business to say to that person that he has only three insurance policies. He may tell him that he can come, but that he would have to come at his own risk.

Mr. MOTTLEY: I do not understand you.

Hon. W. A. CRAWFORD: Well, he should not carry him at all unless one of the other members of the crew agreed to stay ashore.

Mr. MOTTLEY: Would you say that in the case of a man who is beached and he asks you to let him go out with you you have no right to carry the fourth? That is what you are saying.

Hon. W. A. CRAWFORD: I imagine in a case like this that fishermen as such are not insured by name. If all four of them get killed on an occasion when they went out, well, the owner is in trouble; but if one got killed, well, you are insured for three.

Mr. WALCOTT: Why continue to make that point? A man has a factory and has 100 employees working in it. He does not have 100 names insured, but he has a coverage for

that place. It is a matter for the person. There is no law here which says how many persons you can carry in a fishing boat. All it says is that if you have a fishing boat, you must have coverage. A million persons can go aboard a boat; there is nothing in the Act to say that you cannot carry them; but you cannot run that boat without having a coverage for it. There are a lot of people who have persons working with them and they do not have them insured. People work in quarries and no insurance is taken out for them. You have nothing to demonstrate or to show that you have really insured somebody. You do not have to have a licence to show that you have persons insured. There are people who operate businesses in Barbados where the employees are liable to insurance, but there is nothing to show that those persons are insured. As a matter of fact, what is working here is more by default. I can employ 100 men tomorrow and not insure any of them, and that is what is happening here up and down the country.
6.55 p.m.

There are workmen here who ought to be covered by insurance and no coverage is taken for them. People feel that they will take the chance. The Government has no means of instituting anything against a person until something happens. A man cannot open a rum shop unless he has a licence and, in the case of a motor car, you have to get a certificate of insurance before the licence fee is paid. The weakness of the law is that a fisherman can carry out a man and if anything happens to him you have to compensate him.

Mr. MOTTLEY: Let us be factual, Mr. Chairman. You own the fishing launch "Investigator"; you insure six men — or rather you insure three men let us say, and three others ask to be allowed to go on the boat and three of them get drowned. I ask: who were the three men you insured? (MEMBERS: The three who got drowned.) Oh, I see; but all of them were engaged in fishing. This definition says: "and also includes a person engaged in fishing....." (ASIDES). I should like the Hon. Minister to answer this: "A" owns a boat, "B" is the captain of the boat. The owner has three men insured, and three others get on the boat. This is a matter of going out and being engaged in fishing with the consent of the captain of the boat. Something happens and three of these men are drowned. What three were insured? (MEMBERS: The three who were drowned.)

Hon. G. G. FERGUSSON: Mr. Chairman, I do not think that any group insurance could work with fishing because it is completely different. You would have to insure each boat with the name of the boat and the men who are to be carried. I do not think that any insurance company would be so stupid as to leave a Clause open like that, that you have five men in a boat and six men went out fishing in it. In that case your policy would become null and void.

Mr. MOTTLEY: I thank the Hon. Minister for what he has said; therefore this Clause is absolutely worthless and it means nothing. The Hon. Minister has honestly made the position quite clear. This does not help fishermen; there are no two ways about that. The hon. member can pass this Clause with his majority, but I will not support it. This Clause is not correct and I say that it should be postponed. Now that the Hon. Minister of Communications and Works has come out so graciously with what he has said, what are you going to do with this particular Section? Could it not be postponed until later on? I honestly feel that if you want to help fishermen, this Clause should be postponed.

Mr. WALCOTT: Mr. Chairman, this Clause does not really deal with what the hon. member was asking. However, it is for the Minister to deal with this matter. I asked the Hon. Minister if he understood this Clause to mean a "Workman". I am clear that the Hon. Minister is confused because he said that these persons were not workmen. What the hon. senior member for the City has succeeded in confusing them with is.....

Mr. MOTTLEY: No, Sir. On a point of order, I object to that. That is not fair to me at all. My honourable friend must not do that to me. I have never succeeded in confusing anybody. I was prepared to sit down and bow to the Minister of Communications and Works because I have great respect for those who go down to the sea in ships.

Mr. WALCOTT: As I was saying, Mr. Chairman, this Clause only gives the designation of a "workman". The Clause which deals with the question of insurance is Clause 27 which says this:

27. (1) Every employer shall obtain from an insurer a policy of insurance or indemnity for the full amount of his liability under this Act to all workmen employed by him and shall maintain such policy in force:

Provided that —

And so on. What the Hon. Minister of Communications and Works has said was that an insurance company would not give you a policy which is not in accordance with the state of things as set out in this Clause. You have a Clause in our legislation which says that you should keep gasoline in a certain way, and if a fire takes place contrary to the prescribed conditions, then your policy is null and void.

Mr. Chairman, what I am dealing with is not the question of insurance at all; I am dealing with the designation of a "workman". Who is the injured workman is a different thing.
7.05 p.m.

What the hon. member wants to say is that a man who jumps on board a boat is not a workman. If you are a boat-owner, you must decide how many workmen you want. This Clause does not say how many workmen you should have. What I think the hon. member was confused about was that if you have a boat registered to carry three men and you carry six men, you are carrying three at your own risk, because the insurance policy only covers three. Neither the Leader of the House nor the Premier saw fit to answer a straightforward question that had been put to them about this definition of fishermen, and then they were bamboozled by the Hon. Leader of the Opposition who is very good at creating an atmosphere of confusion in Clauses like this. Why not call people in and get a satisfactory method of dealing with this insurance part for fishermen and not just leave it to say they are insuring fishermen and you do not care what happens, and then you come back with amending clauses? It looks as if you were not clear in your minds about the employment of fishermen in the context. Government should deal with it in a different way and not give the stupid impression that they want to include fishermen and somebody else does not want fishermen included. I believe I have worked harder than anyone on this, despite what the Premier has said. I do not go in for that fanciful chat, because I have worked on this for the last six or seven years, and that is why I feel strongly that if this was something we could buy, the Union would buy it from you. I can see the amount of money we would make if we had to insure them, but this other chat about who wanted these things done, I do not go for.

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

Mr. MOTTLEY: Mr. Chairman, you cannot do that; you cannot rush things like that. We are dealing happily with a matter of great importance and you must look around and not adopt that type of behaviour. That sort of behaviour is not very nice. (Mr. WALCOTT: Man, you missed the bus!) I made a motion that the section be postponed.

Hon. W. A. CRAWFORD: Mr. Chairman, all the Government wants to do is to protect the lives of fishermen and safeguard their dependants if their lives are lost; and therefore so long as you were going fishing in a boat with the owner of the boat, the responsibility falls on the owner to cover by insurance all the people engaged at fishing in the boat with him, and if they are sharing the catch, the boat gets a share. If now we impose upon the boat owner the responsibility for insuring the people with him, all he needs to do in addition to his one-third share is to take out another dollar a week for insurance. It is his responsibility so long as he owns the boat, to insure the lives of those who are going to catch with him. If, in a case like the one which the hon. senior member for Bridgetown has cited, a man on the rocks wants to go fishing on a particular day, he can

ask one of the three fellows who go out every day to give him a break as his boat is being painted or repaired. If he carries a fourth man and only has cover for three, he does it at his own risk. The Bill as has been designed is to maintain some sort of security for fishermen and their families in case somebody becomes injured or in case he gets lost at sea. There is nothing more we can do with this section because it is purely a definition clause, and the hypothetical case to which the hon. member referred happens to all of us. If you have a motor car insured to carry five and the police catch you carrying six, you have to pay. If the fisherman wants to carry more than the required number, nobody can stop him because he does it with his eyes wide open.

Mr. WALCOTT: That is why I would have liked the hon. member to have called people in, because what he has just said sounds reasonable, but it is illegal. No owner or employer can ostensibly take out anything for the purpose of Workmen's Compensation. If you were sharing with a man and your share was ten cents along with the others, you could not say to these men that you were taking out a penny more from each of them.

Hon. W. A. CRAWFORD: I am not saying that the man should say he is going to take out this ten cents for Workmen's Compensation insurance. I said that if the boat is entitled to one-third share, the owner can say he wants another dollar every week.

Mr. WALCOTT: I fail to agree with the hon. member. You do not have to tell the men, but you can say that the boat's share instead of being \$1.00 shall now be \$2.00 and use the \$2.00 towards the insurance; but this is not on that basis. I believe it would work out well in practice, but as this was an innovation, I felt you should have given people engaged in fishing an opportunity to meet you, so that people would arrive at some basis of dealing with it. But there is this idea that because they are fishermen they would not understand, and therefore it was not the best thing. I feel that if they were shipowners like the Cunard Line you would not do that.

Mr. MOTTLEY: I must apologise to the Chair for the attitude I adopted just now, but I do not like to make a point and then the question is put without the Minister giving some explanation. I feel it rather discourteous, and you should know that the Leader of the House is not given to be discourteous in that way. I should just like to draw his attention to page 39, and I should like to warn this House that this is something very important. You are dealing with fishermen who go and get food for the people of this country and you should not pass anything that would hinder them. Sub-clause 5 of Clause 27 reads as follows:—

"Every such policy shall provide that the insurer shall as well as the employer be directly liable to any workman insured under such policy....."

That is where the Minister of Communications is absolutely correct. The hon. senior member for St. Peter and I may not agree on certain points and details, but we agree on the basic principle that you should let people meet you on this. There are people who own boats who have much more ability and commonsense and know more about this than all of us sitting in this House of Assembly tonight, and they ought to be given an opportunity to meet you.
7.15 p.m.

You are dealing with 400 or 500 boat owners in this country and you cannot get here and say that they do not know anything about it, and that they are not capable of telling you what to do and the like. You have a Hospital to run; Infirmaries to run. You have a tourist season, which you are building up, to look after. You must not adopt that attitude because you are dealing with fishermen. If you were dealing with the people who owned the Shrimp Line or the Booth Line, you would not say that. Those are all fishermen too. The fishermen here are humble people and there are people who own boats in this country who understand as much about fishing as the Hon. Minister of Communications and Works.

I am appealing to you to postpone this section. You are absolutely wrong if you do not postpone this Section. What are you trying to do? You are trying to do good, but it is going to turn out bad if you do not postpone this Section. You ought to give the people an opportunity to discuss this matter with you. All that I have heard is that this Bill was sent to the Employers' Federation and to the Trade Union. Ask the General Secretary of the Trade Union how many fishermen he has got organised in the Trade Union. Ask my colleague, the hon. junior member for Christ Church, how many fishermen he has got in the Employers' Federation. The Fishing Industry is an important industry in this country and I suggest strongly that you postpone this Section. The Hon. Leader of the House knows that I am to the age when I sit quietly and let things go through; but I feel very strongly on this matter. Just a few days ago, you saw in the Press that you should not have any fixed price for fish and it should not be controlled. As a matter of fact, the place which you have opened down there is not getting on as well as it possibly should. I am appealing to you now not to railroad this Section; you should postpone it and give the people who are knowledgeable of it an opportunity to express their views.

Hon. W. A. CRAWFORD: Mr. Chairman, I rise on a point of order. This is the definition of what a "fisherman" is. Does the hon. member want the definition of "fisherman" changed?

Mr. MOTTLEY: If the Hon. Minister will forgive me, I just want to say that he has a way of getting things passed in this House. He has asked me if I want the definition changed. What I want is that it be drafted in a more simple way. I only asked a simple question. Suppose I wanted to be meticulous; I would have come in here and asked the Hon. Minister questions like these: "Can you tell me exactly how many fishing boats there are in the Island?" "Can you tell me how many people go fishing?" I can come in here and do that. I can ask him if he investigated what it is going to cost to insure fishermen? I have not done any such thing. The hon. member knows me better than anybody else. There was a time when I sat on that side of the House when this House would go on until 2.00 o'clock tonight before you would get this Interpretation Clause passed.

Hon. J. C. TUDOR: You are doing that now.

Mr. MOTTLEY: I am not asking any of those questions now. Actually, we are entitled to know them. However, let us postpone this Interpretation Clause.

Hon. J. C. TUDOR: It is passed already.

Mr. MOTTLEY: Why does not the Hon. Minister keep himself quiet? Although his constituency is not a place to have a lot of fish, he realises that he comes from a place where he likes to have fish sometimes.

Mr. Chairman, I beg to move that this Interpretation Clause be postponed. By that time, the Ministers can get their heads together and see what they can do about it.

Hon. W. A. CRAWFORD: If the hon. senior member for the City of Bridgetown would refer to the Workmen's Compensation Act, 1943 - 2, he would see the definition of "workman".

" "Workman" means any person who entered into or works under a contract of service or apprenticeship with an employer, whether the contract was made before or after the commencement of this Act and whether such contract expressed or implied, is oral or in writing."

Now, the additional part of the Section dealing with the definition of fishermen has been taken word for word from the Trinidad Ordinance.

Mr. MOTTLEY: That is no example.

Hon. W. A. CRAWFORD: The hon. member wants these hypothetical questions answered. He asked if a man is on the rocks, when he gets in a boat, what is the question? The

hon. member is only delaying the passage of this Bill unnecessarily.

Mr. MOTTLEY: Mr. Chairman, I rise on a point of order. The Hon. Minister must not say that. I must object to that. I have not, up to now, shown my willingness to do that.

Hon. W. A. CRAWFORD: I did not say that he was deliberately doing that. You cannot enact law on the ground of hypothetical cases. Any extraordinary thing can happen at times, but you do not make a law on the case of an unexpected eventuality.

As I have said, this part about fishermen is taken from the Trinidad Workmen's Compensation Ordinance. I am sure that members of the Trinidad Legislative Council have as much interest in fishermen as the hon. senior member for the City. Under the Trinidad ordinance, "Workman" is defined in the same way as what we have in the 1943 Act and it also includes "a person engaged in fishing on board any fishing vessel or fishing boat or in plying for hire with any vehicle or vessel the use of which is obtained by that person under any contract or bailment (other than a hire purchase agreement) in consideration of a fixed sum or share in the earnings or otherwise." It is just as what we have in the Bill before us.
7.25 p.m.

That is word for word with what we have in the Bill before us. In view of the fact that this is the actual wording of the Section in Trinidad - you cannot legislate on the basis of one chance in a hundred. In the circumstances, therefore, the Government cannot, in all fairness, accede to the request of hon. members to postpone this Section.

The question that further consideration of Clause 2 be postponed was put and resolved in the negative, the Committee dividing as follows:-

AYES: Messrs. HOLDER; SEALEY; GODDARD and MOTTLEY - 4

NOES: Hon'bles J. C. TUDOR; W. A. CRAWFORD; G. G. FERGUSSON; A. DaC. EDWARDS; Messrs. WEEKES; LOWE; YEARWOOD and WALCOTT - 8

Mr. CHAIRMAN: The question has been resolved in the negative, four hon. members voting "Aye" and eight hon. members voting "No". I now declare that the "Noes" have it. The question now is that Clause 2 stand part of the Bill. Hon. members in favour of that will please say "Aye", those against will please say "No". I think the "Ayes" have it.

Clauses 3 to 15 inclusive were called and passed.

Clause 16 was called. It reads as follows.

16. (1) Where a workman has given notice of an accident or where an accident has occurred in respect of which the necessity of giving notice under this Act is dispensed with, a workman shall, if the employer offers to have him examined free of charge by a registered medical practitioner, submit himself for such examination, and any workman who is in receipt of a weekly payment under this Act shall, if so required, submit himself for such examination from time to time:

Provided that a workman shall not be required to submit himself for examination by a registered medical practitioner otherwise than in accordance with regulations made under this Act, or at more frequent intervals than may be prescribed.

(2) The workman shall be entitled to have his own registered medical practitioner present at such examination but at his own expense.

(3) If a workman on being required to do so by the employer under subsection (1) or by a Judge at any time, refuses to submit himself for examination by a registered medical practitioner or in any way obstructs the same, his right to compensation shall be suspended during the continuance of such refusal or obstruction unless, in the case of refusal, he was prevented by any sufficient cause from so submitting himself.

(4) If the workman, before the expiry of three days from the time at which service of notice of an accident has been affected or, when an accident occurs in respect of which the necessity of giving notice under this Act is dispensed with, before the expiry of three days from the date of such accident, voluntarily and without due cause leaves the vicinity of the place in which he was employed without having been examined by a registered medical practitioner, his right to compensation shall be suspended until he returns and offers himself for such examination.

(5) Where a workman, whose right to compensation has been suspended under subsection (3) or subsection (4), dies without having submitted himself for medical examination as required by either of those subsections, a Judge may, if he thinks fit, direct the payment of compensation to the dependants of the deceased workman.

(6) Where under subsection (3) or subsection (4) a right to compensation is suspended, no compensation shall be payable in respect of the period of suspension.

(7) Where an injured workman has refused to be attended by a registered medical practitioner whose services have been offered to him by the employer free of charge or having accepted such offer has deliberately disregarded the instructions of such registered medical practitioner, then, if it is thereafter proved that the workman has not been regularly attended by a registered medical practitioner and that such refusal, failure or disregard was unreasonable in the circumstances of the case and that the injury has been aggravated thereby, the injury and resulting disablement shall be deemed to be of the same nature and duration as they might reasonably have been expected to be if the workman had been regularly attended by a registered medical practitioner, and compensation, if any shall be payable accordingly.

Hon. W. A. CRAWFORD: I beg to move, Mr. Chairman, that Clause 16 stand part of the Bill.

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

Mr. WALCOTT: Mr. Chairman, this Clause says this:

"Where a workman has given notice of an accident or where an accident has occurred in respect of which the necessity of giving notice under this Act is dispensed with, a workman shall, if the employer offers to have him examined free of charge by a registered medical practitioner, submit himself for such examination, and any workman who is in receipt of a weekly payment under this Act shall, if so required, submit himself for such examination from time to time:"

I should like to enquire as to why should a workman be called upon to accept an employer's medical examination and not be permitted to see whatever doctor he likes? What is the reason behind that? Do you know what you are doing by this Section? You are telling a workman that he is not going to be entitled to anything under this Section unless he goes to the doctor to whom the employer says he should go. That interferes with the fundamental liberty of a man and his doctor; that has a psychological bearing. All of us have doctors and we go to the doctor of our own choice; that being so, why is it that this workman will have to go to the doctor of the employer's choice? This seems to me to be very strange and I would like to know the reason for it.

Hon. W. A. CRAWFORD: Mr. Chairman, the hon. member has not read the Proviso which follows. The Proviso says:

"Provided that a workman shall not be required to submit himself for examination by a registered medical practitioner otherwise than in accordance with regulations made under this Act, or at more frequent intervals than may be prescribed."

In so far as the actual matter is concerned, the only change in this Section from the 1943 Act is that there are weekly payments instead of half-monthly payments, but the wording of the Bill is exactly the same. As to the question of the workmen attending the doctor and the choice of the employer, that is dealt with in the Regulations. In Sub-clause 2 the provision goes further. It says this:-

"The workman shall be entitled to have his own registered medical practitioner present at such examination but at his own expense."

Mr. WALCOTT: He can only bring in his doctor if....

Hon. W. A. CRAWFORD: If the employer offers to give the examination free, the workman can go only as the Regulations prescribe; but if he wants to pay his own doctor, he can do so.

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

7.35 p.m.

Clause 17 and 18 were called and passed.

Clause 19 was called. It reads as follows:-

19. (1) Subject to the provisions of subsection (2), the employer shall defray the reasonable expenses to an amount not exceeding two hundred and fifty dollars under each head reasonably incurred by a workman who has suffered personal injury as a result of an accident arising out of and in the course of his employment in respect of the following heads -

- (a) medical, surgical, dental and hospital treatment, skilled nursing services, the supply of medicines, and travelling for the purpose of obtaining any of the foregoing; and
- (b) the supply, maintenance, repair and renewal of non-articulated artificial limbs and apparatus.

(2) An employer shall not be liable to defray expenses incurred by a workman in respect of any treatment, services or medicines specified in sub-section (1) if he maintains in respect thereof facilities approved for the purposes of this Act by the Minister and has made such facilities available free of cost to such workman:

Provided that in any case where any injured workman satisfies a Judge that he has obtained special medical treatment by reason of the fact that the injury incurred by him required treatment not provided for or available to his employer, the Judge may allow such injured workman to recover from such employer the reasonable expenses incurred by him in obtaining such special treatment.

(3) All disputes as to reasonableness or as to necessity for any medical aid to be provided under this section shall be determined by a Judge whose decision in relation thereto shall be final.

(4) The medical expenses payable under this section shall be in addition to any amount payable as compensation under Part II or Part IV.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 19 stand part.

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

Mr. WALCOTT: Now the hon. member said that this was in the old Act. Are you suggesting that because you

had something in the old Act, you have not changed it? We have always pressed that you should not have this limitation of \$250 on medical, surgical and other expenses. A man could be really mutilated in an accident. Do you know the kind of damage that would be done to a person in a conveyor belt? Anybody who lives through an accident with a conveyor belt would be so smashed up that you would not think of giving them artificial limbs. Sometimes a person might need a wheel chair after an accident, and that is why I am very strong on this Clause. I feel that there should be no limitation in medical aid after an accident. This is one of the things that I do not mess around with. All I am saying is that if you do not reach the limit, then you do not spend the money. You have put a limit of \$250 for the supply, maintenance, repair and renewal of non-articulated artificial limbs and apparatus, and then you have terms like medical, surgical, dental and hospital treatment, skilled nursing services and so on. These are limited to \$250 each.

At the last meeting of the I. L. O. when they were discussing this question of Workmen's Compensation, the Consultant Group of the World Health Organisation replaced the term "artificial limbs" by the term "prosthetic appliances" on the ground that it included a lot of the terms you have here. Here you have medical, surgical, dental and hospital treatment, skilled nursing services, the supply of medicines, and travelling for the purpose of obtaining any of the foregoing. We did not put a limit, because if a man had all his teeth knocked out in an accident, are you going to put in the top, or supply him with all? You are rehabilitating a man to the point where he was before, and this limitation of \$250 to my mind seems to me to be meagre. The term "prosthetic appliances" is a wider term, because it covers more than artificial limbs. I would have to look into an encyclopaedia to find what artificial limbs mean. Prosthetic appliances mean that it is not an artificial limb, but something you put in a man's hip if he gets injured, because there are certain appliances now that are used within the skin and the body that are not artificial limbs; so the term "prosthetic appliances" is a more inclusive term. Mr. Chairman, I have a schoolmaster by the side of me who left school too early. Anyway, I am only suggesting that these are some terms that could be used instead of using "artificial limbs". I think the hon. member should be more up to date with these new terms in medical aid, but \$250 does not seem to me to give a man full coverage. Any man who is injured in an accident at work should be completely rehabilitated, and the cost of surgical treatment should not be a hindrance, and he should not be called upon to meet that expense. That is why I should like to see a more liberal view attached to this.

Mr. MOTTLEY: I thought at first when the hon. member started that I would have agreed with him. I myself was worried about one thing in it, then I discovered that it dealt with \$250 for medical, \$250 for surgical, and so on, depending on what the case would be. I became worried about what is put in for travelling, because on reading the last section I have found that if a man had an injury and had to go to Canada to have skilled surgical treatment which he could not have here, this section provides that he can get travelling from the Judge. The Judge may give such amount as he thinks fit; otherwise I would certainly ask that the amount of \$250 be amended, so that it would be \$250 for these things plus travelling. The proviso reads as follows:-

"Provided that in any case where any injured workman satisfies a Judge that he has obtained special medical treatment by reason of the fact that the injury incurred by him required treatment not provided for or available to his employer."

I do not like the way this is worded. What this is saying is that he must satisfy the Judge that he had gone to Canada to get a specialist in brain surgery to attend him. As human beings, what workman is going to satisfy a Judge if he had skilled treatment that he has had to go to Canada? Where would he get the money from?
7.45 p.m.

What workman you know of is going to be able to satisfy a Judge that he has to go to Canada if you say that the

injury incurred by him required treatment not provided for or available to his employer, and the Judge may allow such injured workman to recover from such employer the reasonable expenses incurred by him in obtaining such special treatment? Like the hon. member I would like to see the wording changed here. If the hon. member reads that Section carefully, he will see that you have to satisfy a Judge that you must have that treatment. There are no two ways about this. This says that if he had a skull injury, he must have this treatment. I do not think this is fair. I think he must go to Canada or the United States.

Mr. WALCOTT: Before the Hon. Minister replies, I just want to say that I do not go in for these extreme cases like skull injuries. Let us say that a man goes into one of these clinics about here — and you can pick out either one of these. It might be medical or surgical, but the injury is for three months. What is going to happen? Suppose it is either one! You say that the employer shall defray reasonable expenses to an amount not exceeding \$250. They are working on the hypothesis that this is a man who is going in the General Hospital and, therefore, it means that you are only paying for such treatment there. But what about the man who is working for \$400 a month. Even some men who may not work for \$50 a month go into a private clinic. Are you going to determine which clinic he should go in? In cases of this sort, insurance companies have to pay, and because of that they are going to be very sneaky in stating precisely what it is. If it is surgical, it is going to mean that an operation has to be performed. As I see it here, they have provision for medical, surgical, dental and hospital treatment, skilled nursing services, the supply of medicines and travelling for the purpose of obtaining any of the foregoing. Therefore, as I see it, dental and hospital treatment means one.

What I am saying is that it may be a medical case after you have incurred an accident: there may be no surgery needed, it may be only some internal business. I feel that the persons should be allowed more than that. I do not know what is the price of non-articulated artificial limbs and apparatus, but I dare say that some of these things may cost more than \$200. I feel, if a man loses both legs and he has to use a wheel chair, that he should be able to get a wheel-chair. Someone has said that what is here is more than would cover it. I know that prices for such things are not static. When you limit the price, the time may come when the person may not be able to get it unless it is within this range. That is why I say I do not see any reason why you should limit it to \$250 and do not limit it to the point where a certificate would prove that they did not want any further medical attention.

Hon. W. A. CRAWFORD: The hon. member who has raised this question first said that he merely raised it to acquaint this Chamber of this new arrangement.

Mr. WALCOTT: I said that I wanted to acquaint this Chamber of this new arrangement in so far as artificial limbs are concerned. I said that I was not in favour of the limiting of the price to \$250 and I felt that there should be no limit. We feel if a man is having medical treatment that medical treatment should be towards rehabilitation. He is not making money then: and if he is going to be there six months, that is what he is getting.

Hon. W. A. CRAWFORD: I figured that the hon. member wanted to tell us that artificial limbs are referred to as prosthetic appliances; but if he is insisting on this question of the amount available for medical aid, there is no limit. If you look at Section 19 (1), paragraph (a) and (b), it prescribes the sum of \$250 for the various heads, but then the Judge has a certain amount of latitude to extend the amount of money for special medical treatment or special medical aid. It is up to the Judge to interpret the expenditure incurred in rehabilitating a man to special medical treatment or special medical aid. If you read the proviso to Section 19, it says:

Provided that in any case where any injured workman satisfies a Judge that he has obtained special medical treatment by reason of the fact that the injury incurred by him required treatment not provided for or available to his employer, the Judge may allow such injured workman

to recover from such employer the reasonable expenses incurred by him in obtaining such special treatment.

It could not be wider. I want to assure this Chamber and the hon. member that the Government was at pains to check on all the most recent legislation on this matter and on the most recent L.L.O. decisions as regards the provisions of this Bill: and this Section, which is entirely new, has been included after the most careful consideration. I can assure you that it is exactly what you will find in the most up-to-date Workmen's Compensation legislation.

7.55 p.m.

Mr. WALCOTT: What are you amending the Act for if you are satisfied with it? A man sustains an injury; and, if he is injured as a result of his work, what is he gaining by any rehabilitation by medical treatment? I know that a man was in hospital for 18 months and he was in the General Hospital. I want to know this: Is it reasonable to expect that a man who has been in hospital for eighteen months will want to have his medical expenses paid? I do not regard this as being money; he does not get any money but he gets medical aid. It is what he is paying out. Why should a man be placed in an invidious position so that he has to open the Court in order to get damages? Mr. Chairman, I do not have any limitations; the sky is my limit in so far as a person who is injured in the course of his employment is concerned. You will give the dependants of a person who is dead \$10,000, but what about a man whom you want to rehabilitate? The man is not gaining anything; he is not at work. I am saying that a man should not be called upon to open a Court in order to get his medical expenses; that should be a matter of course.

Mr. Chairman, if you assume that doctors have any integrity, why should a doctor be keeping in a man longer than when he is ill? Why should he be keeping him in hospital when the man is well? I feel that you are limiting this provision because it is possible that the doctor can go in for exploitation; that is the only explanation; but the man has to plead a special case. If any man is ill as the result of an injury, I do not think that the limitation of money is the answer. You want to rehabilitate the man. A man may have to undergo some serious operation which may cost him something like \$200. I do not think that there should be any limitation of money in these circumstances. If the doctor gives a certificate that the man is well, then he comes out of hospital and the money is stopped.

The question that Clause 19 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 20 to 38 inclusive were called and passed.

Clause 39 was called. It reads as follows:-

39. (1) No person other than a legal practitioner who appears or acts on behalf of any party in connection with a settlement out of court or proceedings before a Judge under this Act shall be entitled to any fee or reward for so appearing or acting.

(2) Any person other than a legal practitioner who shall receive a fee for so appearing or acting shall be liable on summary conviction thereof to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding six months.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 39 stand part of the Bill.

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

Mr. WALCOTT: Mr. Chairman, in connection with this Clause, my colleague sometime ago drew attention to the Government the necessity for a Legal Aids Bill in this country to provide people with assistance in legal matters. I have brought something with me here today to demonstrate that in the United Kingdom there is a Legal Aids Bill which is not very good, it is true, but there is something there to assist people in these matters. Here in this Clause I find

that the Government has made provision that no person, other than a legal practitioner, shall be able to collect fees from people for any advice which he might give. The Trade Union does not look for fees in these matters, but the Trade Union would have a lot to do with the Workmen's Compensation Act in getting assistance for people. The Legal Aids Scheme was passed in the United Kingdom. The Lord Chancellor has the right to receive fees in these matters. I feel that the Government is responsible to have the Ontario Act or some other scheme for Workmen's Compensation in order to give us the necessary legislation which we will have to go through in order to get money from the Court; and then sometimes some of these people die on the wayside.

8.05 p.m.

These courts are cluttered with things, but they do not try Workmen's Compensation cases expeditiously. They have to wait on advice, and if there is any protest, they wait longer. Clause 39 reads as follows:-

"No person other than a legal practitioner who appears or acts on behalf of any party in connection with a settlement out of court or proceedings before a judge under this Act shall be entitled to any fee or reward for so appearing or acting.

Any person other than a legal practitioner who shall receive a fee for so appearing or acting shall be liable on summary conviction thereof to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding six months."

I do not say anything about that because in cases where people belong to an organisation like the Trade Union, the Trade Union has been acting on behalf of people in Workmen's Compensation matters by getting legal advice. I would like to know, if by writing this in, it means that somebody was exploiting it. If a lawyer can do this and charge a fee, it is time that Government gave consideration to a Legal Aid Scheme, more so since you have brought in domestic servants. I can see that it is Government's intention to introduce a general Social Security Scheme, as the Minister has said, and you will have to do this after the next General Election because it is not going to work hurriedly. I do feel that some consideration should be given to these people to get legal assistance.

Hon. W. A. CRAWFORD: Mr. Chairman, there are just two small points. The question of legal aid is a point, of course, worthy of consideration for the simple reason that in Barbados we have not got, as in Great Britain, apart from the specific Legal Aid societies and what not, provision for *in forma pauperis* which is possible in the United Kingdom for opening the court or going into court. The only thing we have here approximating that is at murder cases during the Assizes. I remember that at a recent conference in Trinidad with the Heads of West Indian Government present, we did discuss the question of providing free legal aid for certain types of persons. The emphasis then was on West Indian immigrants in Britain who may need legal aid and could not afford to pay for it. This is a matter to which we could ask the Law Society to address itself, because the inclusion of people like domestic servants and agricultural workers for that matter does seem to indicate that some sort of legal assistance might be necessary for persons at certain times. Normally, Sir, in England, the practice was for the Trade Union to undertake the legal defence of people involved in disputes with their employers, and then when they recovered costs, as they invariably did from the courts, to recoup themselves. I have no doubt that the Trade Union Organisation in Barbados will in certain circumstances pursue the same course, but we have no objection to considering the proposal of the hon. senior member for St. Peter in this respect. The section itself is nothing new. As a matter of fact, we have modified the penalty for non-legally trained people who act on behalf of workers in cases. The section corresponding to Clause 39 (2) in the old Act imposed a penalty of \$100 or six months' hard labour. We have taken out the hard labour.

The question that Clause 39 stand part was put and resolved in the affirmative without division.

Clauses 40 to 45 inclusive were called and passed.

Clause 46 was called. It reads as follows:-

46. In application of this Act to employees who are employed -

- (a) in a civil capacity under the Government; or
- (b) under a Council established under the Local Government Act, 1958; or
- (c) by any board or other similar body (whether incorporated or not) established by any Act for the time being in force in the Island,

where provision exists by any Act or subsidiary legislation for the grant of a pension or gratuity to any such employee in the case of injury received by him in the discharge of his duties or to any person who, in the event of the death of any such employee resulting from that injury, would be entitled as a dependant to compensation under this Act, then in the assessment of compensation under this Act in respect of an injury arising out of and in the course of the employment of such employee, the amount contributed towards such pension or gratuity under any such Act or subsidiary legislation shall be taken into consideration and corresponding reductions shall be made in the amount which such employee or dependant would otherwise have been awarded as compensation under this Act.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that Clause 46 stand part.

Hon. J. C. TUDOR: I beg to second that.

Mr. WALCOTT: Mr. Chairman, I would like to ask the Minister a question here because some things have happened in the past and people were not clear. This section covers workmen in employment with the Crown, Local Authorities and Statutory Bodies. There have been some cases of people working at the Mental Hospital where they have been maimed and disfigured by patients, and have been told that this is in the ordinary course of their employment. Formerly the Crown was not liable, but I should like to know if people who are beaten up by mental patients are going to be regarded as people suitable for compensation under this Bill so that they would know how to proceed. I think Government servants in these Departments are exposed to danger and there is no proper reward. I know there is some Clause which speaks about compensation or benefits, but it is not clear how you are going to treat persons at the Mental Hospital or any of these institutions at which institutional care is necessary, and they can come to damage at the hands of the patients. The Mental Hospital has come to my mind because I understand there have been two bad cases there and the people have not received any reward whatsoever.

Hon. W. A. CRAWFORD: Mr. Chairman, the Section seems to be very clear on the point. If any employees in the category mentioned are injured in the discharge of their duties or lose their lives, then in the settlement of compensation under the Act, consideration is given to corresponding reductions in the amounts to which they are entitled by other legislation governing the terms of their employment. Corresponding reductions can be made in the amount which such employee or dependant would otherwise have been awarded as compensation under this Act. 8.15 p.m.

It does appear to me that in the case of these three categories of employment - Civil Servants, Local Government Employees or similar incorporated or statutory bodies - they are entitled to compensation both under this Act and in the legislation governing terms of their employ-

ment. It is thus left to whichever you take into account to grant compensation under, that is to say, if you take into account compensation under this Bill, you cannot take into account compensation under the other.

In the case of what the hon. member referred to, I do not recollect at the moment, but it does seem fairly clear here in this Section. These provisions were in the old Bill I do not see why any conflict should have arisen on the matter outlined by the hon. senior member for St. Peter, because if they do not get compensation under one, they must have got it under the other.

Mr. WALCOTT: It did not come under the old Bill in the same way as it comes under this Bill. I am going to take the matter up with the Civil Service Association. It seems to me that if a Civil Servant gets injured, he should get compensation; but I am not sure that he might be entitled. If a man happens to be retired as a result of an industrial injury, I consider that he should get his industrial injuries compensation and there should be no reductions. This matter has been brought to my attention and I said that I will raise it because it is a matter which the same people feel strongly about. At the Mental Hospital, they tell me that you get sick leave but no compensation. They say that it is an ordinary hazard of the job which you are doing; but you do not regard accidents as part of your work. Of course, it is a matter of how Government treats its own servants.

Hon. W. A. CRAWFORD: I do not concede that these provisions were not under the old Act. They are precisely the same. Employees of the Crown are on a different status from that which existed before. With regard to the cases in point, there may be some negligence as regards to the representation involved. We have not created any new departure as regards depriving any of these employees of any of the rights to which they were formerly entitled.

Mr. WALCOTT: This matter was raised at a meeting and I believe that is the reason why I have been asked to raise this question. After this matter was raised, the person was told that nothing came out of it and that is why I have asked "How is the new Act going to apply to people like those."

Hon. A. DaC. EDWARDS: Mr. Chairman, I am acquainted with one of the more recent cases. The more recent one was drawn to my attention. A lady was injured and I made enquiries as to what form of compensation she should receive, and on making those enquiries, it was pointed out that because of the manner in which the injuries occurred, it was deemed to form part of her terms of employment. I would think that the only solution to a problem like that would be to have these terms of employment revised if you want to make provision for that sort of thing.

The other thing is that when they are employed at the Mental Hospital, there is a provision in the salary which they receive for this sort of thing. Because of the fact that they are employed in what I would term hazardous duties and that there is the possibility of being injured on the job, additional consideration is given to them where salary is concerned. A student nurse at the Mental Hospital receives a much higher salary than a student nurse at the General Hospital because of the danger of the duties which he has to perform, and my understanding is that the salary takes care of the hazards.

Mr. WALCOTT: I cannot accept that as a logical deduction because if you work on that basis, all the people who come under the Workmen's Compensation, one would say would get their wages based on the hazards of their employment. But the injuries which they receive are put up and above that. You cannot pay a salary based on the hazards of losing an eye. What I believe is that the Government has really taken advantage of the privileged position of the Crown and denied these people compensation. If the same people were working as some of the other persons in private employment, they certainly would receive Work-

men's Compensation. In the case of a person who is working on one of those high masts of Cable and Wireless, that is hazardous employment because he can fall at any time, but he knows that he cannot come down unless by accident. You cannot tell me that when you go up there and fall, that is part of your employment.

I feel that there should be a more liberal approach to Civil Servants and people like that. Everything is referred to the Crown Law Officers and in these things a legal approach is not a sympathetic approach: it is purely legal. Suppose you regard that there is an emergency at the Prison, and you have prisoners getting on the roofs. The warders would have to go up there to get them down. Let us say that in the course of doing so, some of the prisoners held a Warder on the roof and broke one of his legs. Are you going to tell me that is a hazard of the man's employment? It seems to me that the Crown takes a wide position and in some cases deny some people of their rights. A man's basic salary has nothing to do with injuries he receives on the job. It is for you to discharge your duties in the normal way. A man is never paid a wage to be cut up and beaten on the job.
8.25 p.m.

Hon. A. DaC. EDWARDS: Mr. Chairman, I would like to inform the hon. member that I myself am not at all happy about the position and I will promise him to go into the matter more fully and see what can be done. I am not happy about a Nurse at the Mental Hospital getting injured without the necessary compensation being paid.

The question that Clause 46 stand part of the Bill was put and resolved in the affirmative without division.

Clauses 47 to 53 inclusive were called and passed.

The three Schedules of the Bill were called and agreed to.

Hon. W. A. CRAWFORD: Mr. Chairman, I beg to move that you do now report the passing of this Bill in Committee.

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

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

The CHAIRMAN reported and Mr. SPEAKER resumed the Chair and reported accordingly.

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

RESOLUTION re FUNCTIONING OF CARIBBEAN BROADCASTING CORPORATION

Hon. W. A. CRAWFORD: Mr. Speaker, I think you will recall that earlier today I informed the House of my intention to ask for leave to deal with the Resolution for the sum of \$300,000 in connection with the setting up and functioning of the Caribbean Broadcasting Corporation, and in accordance with that early notification I now beg to move that consideration of this Resolution be taken as the next Order of the Day.

Hon. G. G. FERGUSON: 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. Minister of Communications and Works:- To move the passing of the following Resolution:-

RESOLVED that the House of Assembly under the provisions of section 14 of the Caribbean Broadcasting Corporation Act, 1963, approve the guarantee by the Governor-in-Executive Committee of the payment of the principal and of interest on authorised borrowings of the Caribbean Broadcasting Corporation not exceeding \$300,000 in the aggregate to be borrowed by the Corporation on the following terms for the purpose of meeting their obligations and discharging their functions under the said Act: the interest to be paid by the Caribbean Broadcasting Corporation on such borrowings to be at a rate of one half of one per cent below the finest commercial rate quoted to the public from time to time whether the said borrowings be taken by way of fluctuating overdraft and/or by way of loan account and the principal to be repaid within three years;

Hon. G. G. FERGUSON: Mr. Speaker, this Resolution seeks the approval of the Legislature for the guarantee by the Governor-in-Executive Committee of the payment of the sum of not more than \$300,000 to be borrowed by the Caribbean Broadcasting Corporation. The payment of the principal and the interest on this amount is to be guaranteed by the Government. The break down of this amount is as follows:-

- \$101,400 approximately for the R.C.A. Tower and Studio Equipment;
- \$57,600 for the Marconi Transmitter;
- \$35,000 for the Public Works Department for transmitter room and alterations to buildings and roads;
- \$15,000 for Air Conditioning;
- \$15,000 for erection of towers;
- \$10,000 for local contracts electrical etc.,
- \$5,000 for furniture and fixtures;
- \$15,000 for automobiles and vans employers' transport and news gathering, engineering and administration and
- \$46,000 for operation and wages.

Mr. Speaker, this amount of money is to be loaned over a period of three years at a fluctuating rate of one half of one per cent below the prime lending rates in this island by the Banks. (ASIDES). It will be only by way of a fluctuating overdraft. The Bank of Nova Scotia has already agreed to these terms. If the present Bank rate is 7 1/2%, then the rate at which this money is to be repaid will be 7 1/2%.
8.35 p.m.

Up to the present, Mr. Speaker, there seems to be the possibility of this Station being opened by the 15th December. Part of the equipment is already in the Island and the remaining equipment should soon be here.

I beg to move that this Resolution do now pass.

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

Mr. MOTTLEY: In keeping with our policy, Mr. Speaker, I am bound to cast my vote against this Resolution, and therefore I am letting it be known that I have never agreed and never will agree that the Government should run this. I believe that private enterprise should run this, and therefore without any further ado or wasting any time, I will let the Government know that my vote will be "no".

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

AYES: Hon. J. C. TUDOR, Hon. W. A. CRAWFORD, Hon. G. G. FERGUSON, Hon. A. DaC. EDWARDS; Mr. BATSON; Mr. WEEKES; Mr. LOWE; Mr. YEARWOOD and Mr. BOXILL - 9

NOES: Mr. SEALEY and Mr. MOTTLEY - 2

ADJOURNMENT

Hon. J. C. TUDOR: Mr. Speaker, that concludes Government Business for today's sitting. I do not think we have given notice of anything for Committee of Supply; so the Order Paper will be as is — the things of which we have given notice plus anything we have held over with which we have not dealt.

I beg to move that this House do now adjourn until Tuesday, 19th November, 1963 at 12 noon.

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

Mr. MOTTLEY: The Government must learn to give way sometimes. Seeing there is very little on the Order Paper, I am sure Your Honour would like to meet at 2.30 o'clock p.m.

The question that this House do now adjourn until Tuesday, 19th November, 1963, at 12 o'clock noon was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.
8.43 p.m.